

STATE OF NORTH DAKOTA

JOURNAL OF THE SENATE

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.

MEMBERS AND OFFICERS

OF THE

SENATE OF NORTH DAKOTA

FOR THE EIGHTH LEGISLATIVE ASSEMBLY

1903

MEMBERS

Dist.	NAME	Post Office	Occupation	Where Born	Came to State	Married or Single	Age
6	Bacon, Jerry D., r.....	Grand Forks..	Hotel.....	Iowa.....	1882	Married	37
12	Benson, A., i-d.....	Sperry.....	Farmer.....	Iowa.....	1878	Married	48
10	Brown, Geo. D., r.....	Wild Rice.....	Merchant..	New York..	1881	Married	40
32	Carroll, Jno. D., r.....	New Rockford	Farmer.....	Pennsylv..	1879	Married	52
4	Cashel, Jno L. d.....	Grafton.....	Banker....	New York..	1881	Married	52
19	Clarke, Wm., rh.....	Rolla.....	Merchant..	Canada....	1884	Single..	54
15	Cox, Alfred B., rh.....	Valley City..	Insurance..	Nova Scot..	1883	Married	39
16	Crane, Maynard, r.....	Cooperstown..	Lumb'r'm'n	New Jersey	1883	Married	45
13	Devlin, Jno. F., rh.....	Cayuga.....	Farmer.....	New York..	1882	Married	51
34	Fox, Robert A., r.....	Towner.....	Rancher....	England....	1897	Married	44
2	Garnett, Albert r.....	St. Thomas...	Farmer.....	Canada....	1881	Single..	44
25	Geer, Duane E., i-dh....	Eliendale....	Real estate	New York..	1881	Married	44
36	Gulack, Gilbert O., r.....	Ashley.....	Merchant..	Wisconsin..	1879	Married	40
38	Hagen, Hans O., ind....	Fingal.....	Farmer.....	Norway....	1882	Married	45
21	Hale, Henry, rh.....	Devils Lake..	Real estate	England....	1878	Married	50
8	Herbrandson, P. r.....	Caledonia....	Farmer.....	.....	1876	Married	55
29	Jacobson, Martin r.....	Minot.....	Merchant..	Iowa.....	1886	Married	38
35	Johnson, August E., r....	Washburn....	Real estate	Sweden....	1883	Married	29
20	Kirkeide, A. J., r.....	Churchs Ferry	Farmer.....	Norway....	1882	Married	43
1	LaMoure, Judson, rh.....	Pembina.....	Merchant..	Canada....	.....	Married	64
5	Lrvayea, Henry E., rh.....	Larimore.....	Farmer.....	Ohio.....	1880	Married	49
9	Lewis, R. S., rh.....	Fargo.....	Banker....	Tennessee..	1882	Married	46
27	Little, Clarence B., rh....	Bismarck....	Banker....	New Hamp..	1882	Married	46
3	Lofthus, Olaf E., i-dh....	Park River...	Merchant..	Norway....	.....	Married	38
26	Macdonald, Alex, r.....	Glencoe.....	Farmer.....	Scotland..	1883	Married	42
22	Main, Rienzi W., r.....	Cando.....	Farmer.....	Ohio.....	.....	Married	52
28	McArthur, D. H., d.....	Bottineau...	Druggist..	Canada....	1885	Married	38
18	McLean, Henry, r.....	Hannah....	Farmer.....	Scotland..	1882	Married	55
14	Pierce, Edward, r.....	Sheldon.....	Lawyer....	Michigan..	1878	Single...	39
40	Plain, Charles W., d.....	Milton.....	Merchant..	Illinois....	.....	Married	45
33	Regan, J. Austin, rh.....	Fessenden...	Merchant..	Canada....	1891	Married	32
39	Robinson, William H., r..	Mayville....	Merchant..	Illinois....	.....	Married	60
24	Sharpe, James B., r.....	Kulm.....	Lawyer....	New York..	1892	Single...	45
31	Simpson, Leslie A., rh....	Dickinson...	Lawyer....	Minnesota.	1889	Married	34
17	Swenson, Iver, rh.....	Aneta.....	Farmer.....	Norway....	1880	Married	53
11	Talcott, Frank S., rh....	Buffalo.....	Farmer.....	New York..	1887	Married	39
7	Taylor, John D., rh.....	Grand Forks..	Physician.	Canada....	1879	Single...	42
30	Voss, Henry G., r.....	Mandan.....	Lawyer....	Illinois....	1882	Married	45
23	Williams, M. D., dh.....	Jamestown...	Farmer.....	Pennsylv..	1882	Married	53
37	Wipperman, Max A., d....	Hankinson....	Merchant..	Wisconsin..	.....	Married	34

r, republican; rh, republican holdover; d, democrat; i-d, independent-democrat; dh democratic holdover; i-dh, independent-democrat holdover.

OFFICERS.

PRESIDENT..... LIEUT. GOV. DAVID BARTLETT
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. LAMOURE
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
PAGES..... SHED LAMBERT, ARTHUR O'CONNOR, WALTER McLEAN
WILLIE POLLOCK, FLOYD BROWN, GRANT CALL

Journal of the Senate

EIGHTH SESSION

FIRST DAY

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

At the hour of 12 o'clock meridian on Tuesday, the 6th day of January, A. D. 1903, being the day and hour designated by law for the convening of the legislative session of the state of North Dakota, members-elect of the senate for the eighth session of the legislative assembly of the state of North Dakota assembled in the senate chamber of the capitol at Bismarck, and were called to order by the Hon. David Bartlett, lieutenant governor, as president of the senate.

The lieutenant governor appointed Mr. A. B. Cox as secretary pro tem. of the senate.

Prayer was offered by the Rev. A. W. Hayes, of Burleigh.

The roll of hold-over senators was called and the following senators responded to their names:

First District—Judson LaMoure.

Third District—O. E. Lofthus.

Fifth District—H. E. Lavayea.

Ninth District—R. S. Lewis.

Eleventh District—F. S. Talcott.

Thirteenth District—J. F. Devlin.

Fifteenth District—A. B. Cox.

Seventeenth District—I. Swenson.

Nineteenth District—Wm. Clarke.

Twenty-first District—Henry Hale.

Twenty-third District—M. D. Williams.

Twenty-fifth District—D. E. Geer.

Twenty-seventh District—C. B. Little.

Thirty-first District—L. A. Simpson.

Messrs. M. Jacobson of the Twenty-ninth district, and J. D. Taylor of the Seventh district being excused.

The roll of senators-elect was called and the following named members responded to their names:

Second District—A. Garnett.

Fourth District—J. L. Cashel.

Sixth District—J. D. Bacon.

Eighth District—P. Herbrandson.

Tenth District—George D. Brown.

Twelfth District—A. Benson.

Fourteenth District—Ed Pierce.

Sixteenth District—Maynard Crane.

Eighteenth District—Henry McLain.

Twentieth District—A. J. Kirkeide.

Twenty-second District—R. W. Main.

Twenty-fourth District—J. B. Sharpe.

Twenty-sixth District—A. Macdonald.

Twenty-eighth District—D. H. McArthur.

Thirtieth District—H. G. Voss.

Thirty-second District—J. O. Carroll.

Thirty-third District—J. A. Regan.

Thirty-fourth District—R. A. Fox.

Thirty-fifth District—A. E. Johnson.

Thirty-sixth District—G. O. Gulack.

Thirty-eighth District—H. O. Hagen.

Thirty-ninth District—W. H. Robinson.

Mr. Plain of the Fortieth district being excused.

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

Mr. Lavayea nominated Mr. J. B. Sharpe for president pro tem. of the senate.

There being no other nomination, the roll being called those voting in the affirmative were:

Messrs. Bacon, Benson, Brown, Carroll, Cashel, Clarke, Cox, Crane, Devlin, Fox, Garnett, Geer, Gulack, Hagen, Hale, Herbrandson, Johnson, Kirkeide, Little, LaMoure, Lofthus, Lavayea, Lewis, Macdonald, Main, McArthur, McLean, Pierce, Regan, Robinson, Simpson, Swenson, Talcott, Voss, Williams, Wipperman.

Messrs. Jacobson, Plain and Taylor being excused. Mr. Sharpe not voting.

Mr. Sharpe having received a majority of the votes cast was declared elected.

Mr. Little nominated R. M. Tuttle for secretary of the senate.

There being no other nominations, the roll being called those voting in the affirmative were:

Messrs. Bacon, Benson, Brown, Carroll, Cashel, Clarke, Cox, Crane, Devlin, Fox, Garnett, Geer, Gulack, Hagen, Hale, Herbrandson, Johnson, Kirkeide, Little, LaMoure, Lofthus, Lavayea, Lewis, Macdonald, Main, McArthur, McLean, Pierce, Regan, Robinson, Sharpe, Simpson, Swenson, Talcott, Voss, Williams, Wiperman.

Messrs. Jacobson, Plain and Taylor being excused.

Mr. Tuttle receiving a majority of the votes cast was declared elected.

The lieutenant governor administered the oath of office to R. M. Tuttle, secretary.

Mr. Talcott nominated Geo. L. Townes as first assistant secretary.

There being no other nominations, the roll being called those voting in the affirmative were:

Messrs. Bacon, Benson, Brown, Carroll, Cashel, Clarke, Cox, Crane, Devlin, Fox, Garnett, Geer, Gulack, Hagen, Hale, Herbrandson, Johnson, Kirkeide, Little, LaMoure, Lofthus, Lavayea, Lewis, Macdonald, Main, McArthur, McLean, Pierce, Regan, Robinson, Sharpe, Simpson, Swenson, Talcott, Voss, Williams, Wiperman.

Messrs. Jacobson, Plain and Taylor being excused.

Mr. Townes having received a majority of the votes cast was declared elected.

Mr. Bacon nominated James Twamley as second assistant secretary.

There being no other nominations, the roll being called those voting in the affirmative were:

Messrs. Bacon, Benson, Brown, Carroll, Cashel, Clarke, Cox, Crane, Devlin, Fox, Garnett, Geer, Gulack, Hagen, Hale, Herbrandson, Johnson, Kirkeide, Little, LaMoure, Lofthus, Lavayea, Lewis, Macdonald, Main, McArthur, McLean, Pierce, Regan, Robinson, Sharpe, Simpson, Swenson, Talcott, Voss, Williams, Wiperman.

Messrs. Jacobson, Plain and Taylor being excused.

Mr. Twamley having received a majority of the votes cast was declared elected.

Mr. Brown nominated W. E. Clark as chief enrolling and engraving clerk.

There being no other nominations, the roll being called those voting in the affirmative were:

Messrs. Bacon, Benson, Brown, Carroll, Cashel, Clarke, Cox, Crane, Devlin, Fox, Garnett, Geer, Gulack, Hagen, Hale, Her-

brandson, Johnson, Kirkeide, Little, LaMoure, Lofthus, Lavayea, Lewis, Macdonald, Main, McArthur, McLean, Pierce, Regan, Robinson, Sharpe, Simpson, Swenson, Talcott, Voss, Williams, Wiperman.

Messrs. Jacobson, Plain and Taylor being excused.

Mr. Clark having received a majority of the votes cast was declared elected.

Mr. Cox nominated I. J. Moe as bill clerk.

There being no other nominations, the roll being called those voting in the affirmative were:

Messrs. Bacon, Benson, Brown, Carroll, Cashel, Clarke, Cox, Crane, Devlin, Fox, Garnett, Geer, Gulack, Hagen, Hale, Herbrandson, Johnson, Kirkeide, Little, LaMoure, Lofthus, Lavayea, Lewis, Macdonald, Main, McArthur, McLean, Pierce, Regan, Robinson, Sharpe, Simpson, Swenson, Talcott, Voss, Williams, Wiperman.

Messrs. Jacobson, Plain and Taylor being excused.

Mr. Moe having received a majority of the votes cast was declared elected.

Mr. Little nominated Edward LaMoure as stenographer.

There being no other nominations, the roll being called those voting in the affirmative were:

Messrs. Bacon, Benson, Brown, Carroll, Cashel, Clarke, Cox, Crane, Devlin, Fox, Garnett, Geer, Gulack, Hagen, Hale, Herbrandson, Johnson, Kirkeide, Little, LaMoure, Lofthus, Lavayea, Lewis, Macdonald, Main, McArthur, McLean, Pierce, Regan, Robinson, Sharpe, Simpson, Swenson, Talcott, Voss, Williams, Wiperman.

Messrs. Jacobson, Plain and Taylor being excused.

Mr. LaMoure not voting.

Mr. LaMoure having received a majority of the votes cast was declared elected.

Mr. Bacon nominated W. H. Brown as sergeant at arms.

There being no other nominations, the roll being called those voting in the affirmative were:

Messrs. Bacon, Benson, Brown, Carroll, Cashel, Clarke, Cox, Crane, Devlin, Fox, Garnett, Geer, Gulack, Hagen, Hale, Herbrandson, Johnson, Kirkeide, Little, LaMoure, Lofthus, Lavayea, Lewis, Macdonald, Main, McArthur, McLean, Pierce, Regan, Robinson, Sharpe, Simpson, Swenson, Talcott, Voss, Williams, Wiperman.

Messrs. Jacobson, Plain and Taylor being excused.

Mr. Brown having received a majority of the votes cast was declared elected.

Mr. Carroll nominated D. B. Wellman as doorkeeper.

There being no other nominations, the roll being called those voting in the affirmative were:

Messrs. Bacon, Benson, Brown, Carroll, Cashel, Clarke, Cox,

Crane, Devlin, Fox, Garnett, Geer, Gulack, Hagen, Hale, Herbrandson, Johnson, Kirkeide, Little, LaMoure, Lofthus, Lavayea, Lewis, Macdonald, Main, McArthur, McLean, Pierce, Regan, Rob-
inson, Sharpe, Simpson, Swenson, Talcott, Voss, Williams, Wip-
perman.

Messrs. Jacobson, Plain and Taylor being excused.

Mr. Wellman having received a majority of the votes cast was declared elected.

Mr. Devlin nominated Theodore Johnson as messenger.

There being no other nominations, the roll being called those voting in the affirmative were:

Messrs. Bacon, Benson, Brown, Carroll, Cashel, Clarke, Cox, Crane, Devlin, Fox, Garnett, Geer, Gulack, Hagen, Hale, Herbrandson, Johnson, Kirkeide, Little, LaMoure, Lofthus, Lavayea, Lewis, Macdonald, Main, McArthur, McLean, Pierce, Regan, Rob-
inson, Sharpe, Simpson, Swenson, Talcott, Voss, Williams, Wip-
perman.

Messrs. Jacobson, Plain and Taylor being excused.

Mr. Johnson having received a majority of the votes cast was declared elected.

Mr. Pierce nominated M. J. Freeman as postmaster.

There being no other nominations, the roll being called those voting in the affirmative were:

Messrs. Bacon, Benson, Brown, Carroll, Cashel, Clarke, Cox, Crane, Devlin, Fox, Garnett, Geer, Gulack, Hagen, Hale, Herbrandson, Johnson, Kirkeide, Little, LaMoure, Lofthus, Lavayea, Lewis, Macdonald, Main, McArthur, McLean, Pierce, Regan, Rob-
inson, Sharpe, Simpson, Swenson, Talcott, Voss, Williams, Wip-
perman.

Messrs. Jacobson, Plain and Taylor being excused.

Mr. Freeman having received a majority of the votes cast was declared elected.

Mr. LaMoure nominated Shed Lambert, A. O'Connor, Walter McLean and Willie Pollock as pages.

There being no other nominations, the roll being called those voting in the affirmative were:

Messrs. Bacon, Benson, Brown, Carroll, Cashel, Clarke, Cox, Crane, Devlin, Fox, Garnett, Geer, Gulack, Hagen, Hale, Herbrandson, Johnson, Kirkeide, Little, LaMoure, Lofthus, Lavayea, Lewis, Macdonald, Main, McArthur, McLean, Pierce, Regan, Rob-
inson, Sharpe, Simpson, Swenson, Talcott, Voss, Williams, Wip-
perman.

Messrs. Jacobson, Plain and Taylor being excused.

The pages mentioned having received a majority of the votes cast were declared elected.

Mr. Robinson nominated J. M. Stewart as proof reader.

There being no other nominations, the roll being called those voting in the affirmative were:

Messrs. Bacon, Benson, Brown, Carroll, Cashel, Clarke, Cox, Crane, Devlin, Fox, Garnett, Geer, Gulack, Hagen, Hale, Herbrandson, Johnson, Kirkeide, Little, LaMoure, Lofthus, Lavayea, Lewis, Macdonald, Main, McArthur, McLean, Pierce, Regan, Robinson, Sharpe, Simpson, Swenson, Talcott, Voss, Williams, Wiperman.

Messrs. Jacobson, Plain and Taylor being excused.

Mr. Stewart having received a majority of the votes cast was declared elected.

Mr. Little nominated the Rev. A. W. Hayes as chaplain.

There being no other nominations, the roll being called those voting in the affirmative were:

Messrs. Bacon, Benson, Brown, Carroll, Cashel, Clarke, Cox, Crane, Devlin, Fox, Garnett, Geer, Gulack, Hagen, Hale, Herbrandson, Johnson, Kirkeide, Little, LaMoure, Lofthus, Lavayea, Lewis, Macdonald, Main, McArthur, McLean, Pierce, Regan, Robinson, Sharpe, Simpson, Swenson, Talcott, Voss, Williams, Wiperman.

Messrs. Jacobson, Plain and Taylor being excused.

Mr. Hayes having received a majority of the votes cast was declared elected.

Mr. Little nominated E. K. Lampson as doorkeeper.

There being no other nominations, the roll being called those voting in the affirmative were:

Messrs. Bacon, Benson, Brown, Carroll, Cashel, Clarke, Cox, Crane, Devlin, Fox, Garnett, Geer, Gulack, Hagen, Hale, Herbrandson, Johnson, Kirkeide, Little, LaMoure, Lofthus, Lavayea, Lewis, Macdonald, Main, McArthur, McLean, Pierce, Regan, Robinson, Sharpe, Simpson, Swenson, Talcott, Voss, Williams, Wiperman.

Messrs. Jacobson, Plain and Taylor being excused.

Mr. Lampson having received a majority of the votes cast was declared elected.

Mr. Lewis nominated John Young as watchman.

There being no other nominations, the roll being called those voting in the affirmative were:

Messrs. Bacon, Benson, Brown, Carroll, Cashel, Clarke, Cox, Crane, Devlin, Fox, Garnett, Geer, Gulack, Hagen, Hale, Herbrandson, Johnson, Kirkeide, Little, LaMoure, Lofthus, Lavayea, Lewis, Macdonald, Main, McArthur, McLean, Pierce, Regan, Robinson, Sharpe, Simpson, Swenson, Talcott, Voss, Williams, Wiperman.

Messrs. Jacobson, Plain and Taylor being excused.

Mr. Young having received a majority of the votes cast was declared elected.

Mr. Fox nominated Chas. Donnelly as clerk of the judiciary committee.

There being no other nominations, the roll being called those voting in the affirmative were:

Messrs. Bacon, Benson, Brown, Carroll, Cashel, Clarke, Cox, Crane, Devlin, Fox, Garnett, Geer, Gulack, Hagen, Hale, Herbrandson, Johnson, Kirkeide, Little, LaMoure, Lofthus, Lavayea, Lewis, Macdonald, Main, McArthur, McLean, Pierce, Regan, Robinson, Sharpe, Simpson, Swenson, Talcott, Voss, Williams, Wiperman.

Messrs. Jacobson, Plain and Taylor being excused.

Mr. Donnelly having received a majority of the votes cast was declared elected.

Mr. LaMoure nominated J. W. Foley as clerk of the appropriation committee.

There being no other nominations, the roll being called those voting in the affirmative were:

Messrs. Bacon, Benson, Brown, Carroll, Cashel, Clarke, Cox, Crane, Devlin, Fox, Garnett, Geer, Gulack, Hagen, Hale, Herbrandson, Johnson, Kirkeide, Little, LaMoure, Lofthus, Lavayea, Lewis, Macdonald, Main, McArthur, McLean, Pierce, Regan, Robinson, Sharpe, Simpson, Swenson, Talcott, Voss, Williams, Wiperman.

Messrs. Jacobson, Plain and Taylor being excused.

Mr. Foley having received a majority of the votes cast was declared elected.

Mr. Garnett nominated L. Wells as bill room clerk.

There being no other nominations, the roll being called those voting in the affirmative were:

Messrs. Bacon, Benson, Brown, Carroll, Cashel, Clarke, Cox, Crane, Devlin, Fox, Garnett, Geer, Gulack, Hagen, Hale, Herbrandson, Johnson, Kirkeide, Little, LaMoure, Lofthus, Lavayea, Lewis, Macdonald, Main, McArthur, McLean, Pierce, Regan, Robinson, Sharpe, Simpson, Swenson, Talcott, Voss, Williams, Wiperman.

Messrs. Jacobson, Plain and Taylor being excused.

Mr. Wells having received a majority of the votes cast was declared elected.

Mr. Simpson nominated Miss Catherine Coleman as journal clerk.

There being no other nominations, the roll being called those voting in the affirmative were:

Messrs. Bacon, Benson, Brown, Carroll, Cashel, Clarke, Cox, Crane, Devlin, Fox, Garnett, Geer, Gulack, Hagen, Hale, Herbrandson, Johnson, Kirkeide, Little, LaMoure, Lofthus, Lavayea, Lewis, Macdonald, Main, McArthur, McLean, Pierce, Regan, Robinson, Sharpe, Simpson, Swenson, Talcott, Voss, Williams, Wiperman.

Messrs. Jacobson, Plain and Taylor being excused.

Miss Coleman having received a majority of the votes cast was declared elected.

Mr. Crane nominated Mrs. J. N. Brown as assistant journal clerk.

There being no other nominations, the roll being called those voting in the affirmative were:

Messrs. Bacon, Benson, Brown, Carroll, Cashel, Clarke, Cox, Crane, Devlin, Fox, Garnett, Geer, Gulack, Hagen, Hale, Herbrandson, Johnson, Kirkeide, Little, LaMoure, Lofthus, Lavayea, Lewis, Macdonald, Main, McArthur, McLean, Pierce, Regan, Robinson, Sharpe, Simpson, Swenson, Talcott, Voss, Williams, Wiperman.

Messrs. Jacobson, Plain and Taylor being excused.

Mrs. Brown having received a majority of the votes cast was declared elected.

Mr. Little moved,

That the following named persons be appointed by the president on the enrolling and engrossing force, to be assigned to special duties: John Stoos, gallery; James Prentiss, cloak room; and N. O. Hearn, Robt. Layborn and Albert Sylvester as janitors.

Which motion prevailed, and the president made such appointments.

The oath was administered by the president to the following clerks and employes:

W. H. Brown, sergeant at arms; Chas. D. Donnelly, clerk judiciary committee; Ed LaMoure, stenographer; Miss Coleman, journal clerk; Jas. W. Foley, clerk appropriation committee; Shed Lambert, A. O'Connor, Walter McLean and Willie Pollock, pages.

Mr. Little moved,

That the president appoint a committee on rules, and that pending the report of said committee, the senate be governed by the old rules.

Which motion prevailed.

The president appointed as such committee the following: Messrs. LaMoure, Little, Cashel, Sharpe, Talcott, Cox and Lavayea.

Mr. Little moved,

That a committee of three be appointed to inform the governor that the senate was organized and ready for business.

Which motion prevailed.

And the president appointed as such committee Messrs. Little, Robinson and Williams.

Mr. Simpson moved,

That a committee of three be appointed to inform the house that the senate was organized and ready for business.

Which motion prevailed, and

The president appointed as such committee Messrs. Simpson, Bacon and Cox.

Mr. LaMoure moved,
That the senate do now adjourn.
Which motion prevailed, and
The senate adjourned.

R. M. TUTTLE,
Secretary.

SECOND DAY

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 7, 1903.

The senate met at 2 o'clock p. m., pursuant to adjournment.

The president presiding.

Prayer by the chaplain.

The oath of office was administered by the president to Senator-elect Plain.

Roll Call.

All members present, except Messrs. Devlin, Jacobson, Robinson and Taylor, who were excused.

Mr. Cox moved

That the reading of the journal be dispensed with, and permanent committee appointed on revision and correction of the journal,

Which motion prevailed.

The president appointed the following committee:
Messrs. Cox, Crane and Cashel.

REPORT OF STANDING COMMITTEE.

The committee on rules made the following report:

Mr. President:

Your committee on rules recommend the adoption of the old rules, with the following exceptions:

That rule 35 be made to read as follows:

There shall be appointed by the president of the senate the following standing committees:

- On judiciary to consist of fifteen members.
- On education to consist of nine members.
- On elections to consist of nine members.
- On appropriations to consist of fifteen members.
- On railroads to consist of thirteen members.
- On state affairs to consist of nine members.
- On public lands to consist of nine members.
- On ways and means to consist of nine members.
- On agriculture to consist of seven members.
- On warehousing, grain and grain grading to consist of eleven members.
- On counties to consist of nine members.
- On engrossed and enrolled bills to consist of five members.
- On banks and banking to consist of nine members.
- On cities and municipal corporations to consist of seven members.
- On Indian affairs to consist of five members.
- On statistics to consist of five members.
- On federal relations to consist of seven members.
- On insurance to consist of seven members.
- On public health to consist of five members.
- On public printing to consist of five members.
- On temperance to consist of nine members.
- On mines and minerals to consist of seven members.
- On rules to consist of seven members.
- On immigration to consist of five members.
- On highways, bridges and ferries to consist of seven members.
- On irrigation to consist of seven members.
- On apportionment to consist of eleven members.
- On corporations other than municipal to consist of seven members.
- On military affairs to consist of seven members.
- On woman suffrage to consist of five members.

Also joint committees on the following subjects:

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

JUDSON LaMOURE,
Chairman.

The report was adopted.

INTRODUCTION AND FIRST READING OF BILLS.

Mr. LaMoure introduced

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 was read the first time.

Mr. Simpson introduced

Senate Bill No. 2,

A bill for an act fixing the salaries of judges of the district court.

Which was read the first time.

Mr. Simpson introduced

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.

Which was read the first time.

Mr. Cashel introduced

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. 5,

A bill for an act to amend section 2 of chapter 100 of the Laws of 1901 in relation to the transaction of business by fire insurance companies or associations through authorized insurance companies.

Which was read the first time.

The following officers and clerks were sworn in by the president:

I. J. Moe, bill clerk; Louis W. Wells, bill room clerk; Geo. L. Townes, assistant secretary; Nels O. Herrid, janitor; E. K. Lampson, janitor; W. E. Clark, enrolling and engrossing clerk; Theo. Johnson, messenger; James Prentice, assigned custodian of cloak room.

Mr. Little moved

That the senate do now adjourn,

Which motion prevailed.

R. M. TUTTLE,

Secretary.

THIRD DAY

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

The senate met at 2:00 o'clock p. m., pursuant to adjournment.

The president presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Cox, Regan, Voss, Jacobson, Brown and Wipperman, who were excused.

MESSAGE FROM THE HOUSE.

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

Mr. President:

I have the honor to announce that the house has organized by the election of the following officers:

Speaker—Thomas Baker, Jr.

Chief Clerk—Anton O. Anderson.

Assistant Chief Clerk—W. D. Austin.

Second Assistant Clerk—G. M. Hogue.

Chief Enrolling and Engrossing Clerk—W. A. Kelly.

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.

Respectfully submitted,

A. O. ANDERSON,

Chief Clerk.

MESSAGE 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. Little moved

That the following persons be appointed:

L. M. McGlashan as stenographer, Con Wever and S. H. Smith, janitors.

Which motion prevailed, and

The above were sworn in by the president.

INTRODUCTION AND FIRST READING OF BILLS.

Mr. Sharpe introduced

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.

Mr. Voss introduced

Senate Bill No. 7,

A bill for an act to amend section 3127 of the Revised Codes, relating to the taxation of insurance companies.

Which was read the first time .

Mr. Plain introduced

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 .

Mr. Lewis introduced

Senate Bill No. 9,

A bill for an act providing for the creating and investment of a sinking fund by the state treasurer whenever state educational or other state institutions issue bonds.

Which was read the first time .

The sergeant at arms announced a committee from the house.

The committee reported that the house was ready to receive the senate in joint session for the purpose of receiving the message from the governor.

Mr. Johnson introduced
Senate Bill No. 10,

A bill for an act making it unlawful to shoot or hunt on the lands of another without permission.

Which was read the first time .

Mr. Johnson introduced
Senate Bill No. 11,

A bill for an act to prevent the extermination of deer.

Which was read the first time.

Mr. Garnett introduced
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, and increasing the ordinary county revenue of such taxation.

Which was read the first time.

JOINT RESOLUTION.

Mr. Cashel introduced 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 (excluding the mover of this motion) 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. Cashel moved

The adoption of the joint resolution.

Mr. Little rose to a point of order.

Mr. Cashel moved

That the rules be suspended and that the joint resolution be adopted.

The resolution was lost.

Mr. Little moved

That the senate do now proceed to the house to meet in joint session to receive the message from the governor.

Which motion prevailed.

The senate reconvened.

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 state affairs.

Senate Bill No. 2,

A bill for an act fixing salaries of judges of the district court.

Was read the second time, and

Referred 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 second time, and

Referred to the committee on state affairs.

Senate Bill No. 5,

A bill for an act to amend section 2 of chapter 100 of the laws of 1901, relating to the transaction of business by fire insurance companies or associations through authorized insurance companies.

Was read the second time, and

Referred to the committee on insurance.

The following officers and clerks were sworn in by the president:

John Stoos, doorkeeper of the gallery; Robert Layboure janitor; James Twamley second assistant secretary; M. J. Freeman, postmaster; S. H. Smith, janitor.

Mr. LaMoure moved

That the senate do now adjourn,

Which motion prevailed, and

The senate adjourned.

R. M. TUTTLE,

Secretary.

FOURTH DAY

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 9, 1903.

The senate met at 2 o'clock p. m., pursuant to adjournment.

The president presiding.

Prayer by the chaplain.

Roll call.

All members present, except Messrs. Brown, Carroll, Clarke, Cox, Garnett, Jacobson, Johnson, LaMoure, Pierce, Regan, Sharpe and Wipperman, who were excused.

REFERENCE OF THE JOURNAL.

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

Mr. President:

Your committee on revision and correction of the journal of the first and second days, have carefully examined the same and find them correct.

For the third day they recommend that after the word "Wipperman" on page 1, the following words be added, "who were excused."

And when so amended recommend that the same be approved.

MAYNARD CRANE,
Acting Chairman.

MOTIONS AND RESOLUTIONS.

Mr. Little moved

That a committee of three be appointed to arrange for senate committee rooms.

Which motion prevailed.

The president appointed the following committee: Messrs. Little, Talcott and Swenson.

Mr. Lavayea moved

That the senate proceed to elect a stenographer for the senate.

Which motion prevailed.

Mr. Crane moved

That Miss Carrie King be elected as stenographer for the senate.

The roll was called and there were ayes 26, absent and not voting 14.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	Plain
Benson	Kirkeide	Robinson
Cashel	Lavayea	Simpson
Crane	Lewis	Swenson
Fox	Lofthus	Talcott
Geer	Macdonald	Taylor
Gulack	Main	Voss
Hagen	McLean	Williams
Hale	Pierce	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brown	Garnett	McArthur
Carroll	Jacobson	Regan
Clarke	Johnson	Sharpe
Cox	LaMoure	Wipperman
Devlin	Little	

Messrs. Brown, Carroll, Clarke, Cox, Devlin, Garnett, Jacobson, Johnson, LaMoure, Little, McArthur, Regan, Sharpe and Wipperman being excused.

Miss Carrie King having received all of the votes cast, she was declared duly elected.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Mr. President:

I have the honor to inform the senate that the house has passed a concurrent resolution providing for an adjournment of the senate and house from Saturday, the 10th day of January, A. D. 1903, until Monday, January 19, A. D. 1903, at 2 o'clock p. m.

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.

And the concurrence of the senate is respectfully requested.

A. O. ANDERSON,
Chief Clerk.

Mr. Lewis moved

That the concurrent resolution be adopted.

Mr. Little moved

To amend the resolution by substituting "Thursday, January 15," in the place of "Monday, January 19."

Which motion prevailed, and

The resolution as amended was adopted.

INTRODUCTION AND FIRST READING OF BILLS.

Mr. Robinson introduced

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.

Mr. Robinson introduced

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. Robinson introduced

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.

Mr. Lavayer introduced

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.

Which was read the first time.

Mr. Little introduced

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.

Mr. Little introduced

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 was read the first time.

Senate Bill No. 7,

A bill for an act to amend section 3127 of the Revised Codes, relating to the taxation of insurance companies.

Was read the second time, and

Referred to the committee on insurance.

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 judiciary.

Senate Bill No. 9,

A bill for an act providing for the creating and investment of a sinking fund by the state treasurer whenever state educational or other state institutions issue bonds.

Was read the second time, and

Referred to the committee on state affairs.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Mr. President:

I have the honor to inform the senate that the house refuses to concur in the senate amendment to the house concurrent resolution providing for adjournment to Thursday, January 15, 1903, and asks for a conference on the disagreeing votes of the senate and house, and has appointed as conferees on the part of the house Messrs. Buttz, Ryan and Brown.

Respectfully,

A. O. ANDERSON,

Chief Clerk.

Mr. Little moved

That the rules be suspended and that a committee of three be appointed to confer with the house committee on the concurrent resolution.

Which motion prevailed.

The president appointed as such committee Messrs. Little, Robinson and Hale.

SECOND READING OF 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.

Was read the second time, and

Referred to the committee on appropriations.

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.

Senate Bill No. 10,

A bill for an act making it unlawful to shoot or hunt on the lands of another without permission.

Was read the second time, and

Referred to the committee on state affairs.

Senate Bill No. 11,

A bill for an act to prevent the extermination of deer.

Was read the second time, and

Referred to the committee on state affairs.

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, and increasing the ordinary county revenue of such taxation.

Was read the second time, and

Referred to the committee on ways and means.

Mr. Simpson moved

That the senate now take a recess of twenty minutes.

Which motion prevailed.

The senate reconvened.

REPORT OF CONFERENCE COMMITTEE.

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 17th, 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. Little moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

The following were sworn in by the president: A. E. Sylvester, janitor; Mrs. J. N. Brown, assistant journal clerk; Carrie King, as stenographer for the senators.

Mr. Simpson moved
That the senate do now adjourn.
Which motion prevailed, and
The senate adjourned.

R. M. TUTTLE,
Secretary.

FIFTH DAY

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 10, 1903.

The senate met at 2 o'clock p. m., pursuant to adjournment.

The president presiding.

Prayer by the chaplain.

Mr. Lavayea moved

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

Which motion prevailed.

Mr. Little moved

That the senate do now adjourn,

Which motion prevailed, and

The senate adjourned.

R. M. TUTTLE,
Secretary.

TWELFTH DAY

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 17, 1903.

The senate met at 2 o'clock p. m., pursuant to adjournment.

The president pro tem presiding.

Prayer by the chaplain.

The president pro tem announced that Mr. I. J. Moe, who was elected to the office of bill clerk, had been assigned to the duties of assistant secretary; Mr. Jas. Twamley, who was elected to the office of an assistant secretary, had been assigned to the duties of bill clerk.

J. M. Stewart was sworn in as proof reader by the president pro tem.

Mr. Little moved.

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

Which motion prevailed.

Mr. Hale moved

That the senate do now adjourn,

Which motion prevailed, and

The senate adjourned.

R. M. TUTTLE,

Secretary.

FOURTEENTH DAY

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

The senate met at 2 o'clock p. m. pursuant to adjournment.

The president presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Brown, Plain and Talcott, who were excused.

REFERENCE OF THE JOURNAL.

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

Mr. President:

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

First day, page 6, substitute the name John Hogan for the name John Young where it appears.

MAYNARD CRANE,
Acting Chairman.

The report was adopted.

Also,

Mr. President:

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:

At the bottom of first page add the following:

"Mr. Crane moved the adoption of the report,
Which motion prevailed."

Also,

In first day, page 6, line 1, strike out the word "doorkeeper" and insert in lieu thereof the word "janitor."

And when so amended recommend that the same be approved.

MAYNARD CRANE,
Acting Chairman.

Mr. Cashel moved

That the courtesy of the senate be extended to Messrs. H. G. Sprague, Grafton; T. H. Tharalson, Grafton. Chas. Vick, Hoople, Walsh county.

Mr. Loftus moved

That the courtesies of the floor be extended to Col. E. Smith-Peterson.

Which courtesies were extended.

INTRODUCTION AND FIRST READING OF SENATE BILLS.

Mr. Pierce introduced

Senate Bill No. 19,

A bill for an act to amend section 172 of the Revised Codes relating to the investment of the permanent school fund.

Which was read the first time.

Mr. Pierce introduced

Senate Bill No. 20,

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 time.

Mr. Lavayea introduced

Senate Bill No. 21,

A bill for an act authorizing and empowering the governor of the state to remove the sheriff of any county for failure to perform his duty in cases of lynching and suppression of mob violence.

Which was read the first time.

Mr. Crane introduced

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.

Which was read the first time.

SECOND READING OF SENATE BILLS.

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 corporations other than municipal.

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.

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.

Was read the second time, and

Referred to the committee on judiciary.

Also,

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.

Was read the second time, and

Referred to the committee on education.

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.

Was read the second time, and

Referred to the committee on insurance.

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.

Was read the second time, and

Referred to the committee on appropriations.

STANDING COMMITTEES.

The president announced the following standing committees:

Education—Messrs. Lavayea, chairman; Hale, Talcott Cashel, Sharpe, Jacobson, Garnett, Geer, Main.

Elections—Messrs. Hale, chairman; Regan, Clark, Swenson, Cashel, Gulack, Robinson, LaMoure, Macdonald.

City and Municipal Corporations—Messrs. Bacon, chairman; Simpson, Lofthus, Benson, Fox, Williams, McDonald.

Corporations Other Than Municipal—Messrs. Crane, chairman; Cashel, Benson, Bacon Carroll, Johnson, Kirkeide.

Agriculture—Messrs. Swenson, chairman; Talcott, McArthur, Main, McLean, Wipperman, Pierce.

Public Printing—Messrs. Devlin, chairman; Brown, Geer, Garnett, Wiperman.

Public Lands—Messrs. Simpson, chairman; Williams, Johnson, Kirkeide, Hagen, Gulack, McArthur, Talcott, Macdonald.

Warehouse, Grain and Grain Grading—Messrs. Talcott, chairman; Kirk-eide, Regan, Brown, Geer, Hagen, Johnson, Gulack, Main, Cox, Crane.

Counties—Messrs. Jacobson, chairman; Pierce, Geer, Carroll, Cashel, Fox, Johnson, Crane, Simpson.

Indian Affairs—Messrs. Gulack, chairman; McDonald, Johnson, Hagen, Hale.

Statistics—Messrs. Clarke, chairman; Garnett, Kirkeide, Herbrandson, Main.

Federal Relations—Messrs. Robinson, chairman; Taylor, McArthur, Plain, McLean, Clarke, Pierce.

Rules—Messrs. LaMoure, chairman; Little, Cashel, Cox, Sharpe, Talcott Lavayea.

Judiciary—Messrs. Little, chairman; Sharpe, Talcott, Cox, Cashel, LaMoure, Lavayea, Simpson, Hale, Voss, Robinson, Bacon, Fox, Crane, Geer.

Ways and Means—Messrs. Sharpe, chairman; Bacon, Browne, Crane, Talcott, Lavayea, Robinson, Simpson, Voss.

Railroads—Messrs. Lewis, chairman; Sharpe, Swenson, Clarke, Devlin, Carroll, Regan, Benson, Gulack, Williams, Cox, Taylor, Wiperman.

Appropriations—Messrs. LaMoure, chairman; Robinson, Cox, Taylor, Crane, Sharpe, Little, Jacobson, Hale, Williams, McLean, Garnett, Cashel, Lewis, Fox.

Engrossed and Enrolled Bills—Messrs. Lavayea, chairman; Hale, Crane, McLean, Little.

Military Affairs—Messrs. Fox, chairman; Hale, Lavayea, Plain, McArthur, Clarke, Main.

Irrigation—Messrs. Bacon, chairman; Carroll, Plain, Sharpe, Cox, Robinson, Swenson.

Insurance—Messrs. Regan, chairman; Crane, Pierce, Fox, Carroll, Macdonald, Little.

Banks and Banking—Messrs. Pierce, chairman; Robinson, Devlin, Little, Bacon, Lewis, Voss, Gulack, Kirkeide.

Highway and Bridges—Messrs. McDonald, chairman; Main, McLean, Wiperman, Herbrandson, Clarke, LaMoure.

Immigration—Messrs. Garnett, chairman; Carroll, Benson, Lewis, Plain.

State Affairs—Messrs. Cox, chairman; Lofthus, Fox, Herbrandson, Brown, Lewis, Main, Swenson, Crane.

Public Health—Messrs. Taylor, chairman; Lofthus, Devlin, Clarke, Jacobson.

Temperance—Messrs. LaMoure, chairman; Devlin, Williams, Robinson, Pierce, Talcott, Hale.

Mines and Minerals—Messrs. Voss, chairman; Simpson, Macdonald, Williams, Jacobson, Garnett, Plain.

Apportionment—Messrs. Brown, chairman; Little, Garnett, Herbrandson, Kirkeide, Plain, Wiperman, Taylor, Swenson, Main, Macdonald.

Woman's Suffrage—Messrs. McLean, chairman; Taylor, Wiperman, Jacobson, Bacon.

SENATE JOINT COMMITTEES.

Public Buildings—Messrs. Simpson, Lewis, Clarke, Cashel, Wipperman.

Charitable Institutions—Cox, Jacobson, Bacon, Williams, Carroll.

Penal Institutions—Little, Devlin, Pierce, McLean, Kirkeide.

Educational Institutions—Hale, Talcott, Geer, Lavayea, Regan. Main,
Fox.

State Library—Sharpe, Hale, Brown, Gulack, Plain.

Joint Rules—Messrs. LaMoure, Cashel, Sharpe, Talcott, Cox and Lavayea.

Mr. Hale moved

That the senate take a recess of fifteen minutes.

Which motion prevailed.

The senate reconvened.

John Hogan was sworn in by the president as watchman.

Mr. Little moved

That the senate do now adjourn,

Which motion prevailed, and

The senate adjourned.

R. M. TUTTLE,
Secretary.

FIFTEENTH DAY

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 20, 1903.

The senate met at 2 o'clock p. m. pursuant to adjournment.

The president presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Herbrandson, Talcott and Plain, who were excused.

The courtesies of the floor were extended to the following:

Rev. E. H. Stickney, Rev. G. J. Powell, Messrs. F. W. Pierson, C. E. Robbins, W. C. Boyce, Mayor Daniel Manning of Dickinson, Lieut. A. J. Osborn of Dickinson, F. L. Kermott and C. C. Manning.

REFERENCE OF THE JOURNAL.

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

Mr. President:

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

Add after the word "reconvened," on page 5, the following:

John Hogan was sworn in by the president as watchman.

Add after joint committee on state library the words:

Joint Rules—Messrs. LaMoure, Little, Cashel, Sharpe, Talcott, Cox and Lavayea.

And when so amended recommend that the same be approved.

MAYNARD CRANE,
Acting Chairman.

Which report was adopted.

Mr. LaMoure offered the following amendment to the rules of the senate:

That rule 2 of the rules of the senate be amended by striking out the word "five" and inserting the word "seven."

That the following be inserted after rule 42 and called rule 43:

43. The sergeant-at-arms of the senate, under the direction of the presiding officer, shall be the executive officer of the body for the enforcement of all rules made by the committee on rules, for the regulation of the senate wing of the capitol. The senate floor shall be at all times under his immediate supervision, and he shall see that the various subordinate officers perform the duties to which they are especially assigned.

Mr. LaMoure moved

That the amendment be adopted.

Which motion prevailed, and

The amendment was adopted.

Mr. Little moved

That the senate do now proceed to vote on United States senator.

Which motion prevailed.

The result of the vote for United States senator was as follows:

Those voting for Hon. H. C. Hansbrough were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	McLean
Brown	Jacobson	Pierce
Carroll	Johnson	Regan
Clarke	Kirkeide	Robinson
Cox	LaMoure	Sharpe
Crane	Lavayea	Simpson
Devlin	Lewis	Swenson
Fox	Little	Taylor
Garnett	Macdonald	Voss
Gulack	Main	

Those voting for Hon. Max A. Wipperman were:

Messrs.—	Messrs.—	Messrs.—
Cashel	Hagen	McArthur
Geer	Lofthus	Williams

Not voting, Mr. Benson.

The president announced the result of the vote as follows: Mr. H. C. Hansbrough received 29 votes, Mr. Max Wipperman 6 votes, and Mr. J. L. Cashel 1 vote.

Messrs. Herbrandson, Plain and Talcott being absent and not voting.

Mr. Wipperman voted for Hon. J. L. Cashel.

INTRODUCTION AND FIRST READING OF SENATE BILLS.

Mr. Sharpe introduced

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.

Which was read the first time.

Mr. Lewis introduced

Senate Bill No. 24,

A bill for an act to establish a topographic, geologic, agricultural, and general economic and natural history survey of the state in two divisions, providing for a board of control, making an appropriation therefor, and providing a system of auditing accounts.

Which was read the first time.

Mr. Lewis introduced

Senate Bill No. 25,

A bill for an act in relation to the defense of suicides in suits brought upon life insurance policies.

Which was read the first time.

Mr. Lewis introduced

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.

Which was read the first time.

Mr. Regan introduced

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.

Mr. Regan introduced

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.

Mr. Cashel introduced

Senate Bill No. 29,

A bill for an act authorizing the appointment of commissioners of deeds and declaring an emergency to exist.

Which was read the first time.

Mr. Cashel introduced

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.

Which was read the first time.

Mr. Crane introduced
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.

Which was read the first time.

Mr. Bacon introduced
Senate Bill No. 32,

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. Wipperman introduced
Senate Bill No. 33,

A bill for an act to determine the heirship to the government homestead or tree claim of a deceased homestead settler or timber culture claimant, in cases where the heirs of such claimant, or some of them, make the final proof, and to assign and distribute the lands entered to the heirs so determined and to make a record of such determination of heirship and distribution and assignment of such lands.

Which was read the first time.

Mr. Hale introduced
Senate Bill No. 34,

A bill for an act amending section 404, Revised Codes North Dakota, 1899, defining the boundaries and terms of court of the Second judicial district.

Which was read the first time.

Mr. Hale introduced
Senate Bill No. 35,

A bill for an act establishing the Eighth judicial district and defining the boundaries thereof, and terms of court therein, and providing for the appointment and election of a judge therefor.

Which was read the first time.

Mr. Little introduced
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.

Mr. LaMoure introduced

Senate Bill No. 37,

A bill for an act to amend section 3094, of chapter 14, of the Revised Codes of 1899, relating to insurance companies.

Which was read the first time.

Mr. Hagen introduced

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 time.

Mr. Johnson introduced

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.

Which was read the first time.

MESSAGE FROM THE HOUSE.

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

Mr. President:

I have the honor to transmit a house concurrent resolution providing for the selection of a committee to confer with the Superior board of trade to recommend to the legislative assembly a plan for the joint inspection of grain, which the house has adopted and your concurrence therein is requested.

Respectfully,

A. O. ANDERSON,
Chief Clerk.

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 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.

Mr. Little moved,
That the senate do now concur in concurrent resolution.
Which motion prevailed.

The president appointed as such committee from the senate,
Messrs. Sharpe and Jacobson.

Mr. Lewis moved,
That the senate do now adjourn.
Which motion prevailed, and
The senate adjourned.

R. M. TUTTLE,
Secretary.

SIXTEENTH DAY

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 21, 1903.

The senate met at 12 o'clock m.

The president presiding.

Prayer by the chaplain.

Roll call.

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

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Mr. President:

I have the honor to inform the senate that the house is now ready to receive the senate in joint session for the purpose of taking such further action for the election of a United States senator as is required by law, and further to notify the senate that seats have been reserved for the senate in the center of the house, and they are respectfully invited to occupy the same.

Respectfully,

A. O. ANDERSON,

Chief Clerk.

Mr. Hale moved

That the senate now proceed to the house in accordance with the message from the house.

Which motion prevailed.

Senate reconvened.

The following certificate was filed:

SENATE CHAMBER,
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 voice 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.

Mr. Little moved

That the senate take a recess until 2:00 p. m.

Which motion prevailed.

Senate reconvened at 2:00 p. m.

REPORT OF STANDING COMMITTEE.

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

Mr. President:

Your committee on revision and correction of the journal recommend that the journal of the first day be corrected as follows:

On page 8, by adding after the word "committee," in the fifteenth line from the top, the following: D. B. Wellman, doorkeeper.

Which report was adopted.

Also,

Mr. President:

Your committee on revision and correction of the journal recommend that the same for the third day be corrected as follows:

By striking out on page 2, where it appears, the name "Con Wever".

Also,

That the journal of the twelfth day be corrected as follows:

By adding in the twelfth line from the bottom of the page, after the word "reader" the following: And Con Wever as janitor.

And when so amended recommend that the same be approved.

MAYNARD CRANE,

Acting Chairman.

Which report was adopted.

Mr. Cox moved

That Miss Nannie Mudgett be elected as stenographer for the senators. Also, that the following be elected as enrolling and engrossing clerks: M. S. Harrison, R. R. Hedtke, P. H. Gaffney, Miss Emma Messersmith, Mrs. Anna E. Grivelle and E. R. Steinbrueck, and that E. R. Steinbrueck be assigned to the position of assistant postmaster.

Which motion prevailed.

Mr. Lavayea moved

That the secretary of the senate be instructed to request the secretary of state to secure two typewriting machines for the use of the senate stenographers.

Which motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS.

Mr. Kirkeide introduced

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.

Which was read the first time.

Mr. Lavayea introduced

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.

Which was read the first time.

Mr. Lavayea introduced

Senate Bill No. 42,

A bill for an act to repeal section 7594 of the Revised Codes of North Dakota, relating to druggists' permits.

Which was read the first time.

Mr. Taylor introduced

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 was read the first time.

Mr. Taylor introduced

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.

Which was read the first time.

Mr. McLean introduced

Senate Bill No. 45,

A bill for an act to amend section 653 of the Revised Codes of 1899, relating to qualifications of county superintendent of schools.

Which was read the first time.

Mr. LaMoure introduced

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.

Which was read the first time.

SECOND READING OF SENATE BILLS.

Senate Bill No. 20,

An act to amend section 6613 of the Revised Codes, relating to fees and salaries of clerks of county courts.

Was read the second time and

Referred to the committee on judiciary.

Senate Bill No. 21,

A bill for an act authorizing and empowering the governor of the state to remove the sheriff of any county for failure to perform his duty in cases of lynching and suppression of mob violence.

Was read the second time and

Referred to the committee on judiciary.

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 second time and

Referred to the committee on appropriations.

Senate Bill No. 32,

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 corporations other than municipal.

The following were sworn in by the president: M. S. Harrison as enrolling and engrossing clerk and Miss Nannie Mudgett as stenographer for the senators.

Mr. LaMoure moved

That the senate do now adjourn.

Which motion prevailed, and

The senate adjourned.

R. M. TUTTLE,

Secretary.

SEVENTEENTH DAY

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 22, 1903.

The senate met at 2 o'clock p. m., pursuant to adjournment.

The president presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Taylor, Talcott, Brown and Pierce, who were excused.

COMMUNICATIONS.

Washington, D. C., Jan. 21, 1903.

The Honorable Lieutenant Governor, Bismarck, N. D.:

I have been apprised of the result of the balloting in the two houses yesterday. Please convey to the senators and members in joint session today my sincere gratitude for their kindness and my regret that duties here at this short session of congress prevent my being there to thank them in person. Constant devotion to our common interests will be necessary if I am to deserve the very great honor which has again been conferred upon me

H. C. HANSBROUGH.

Phoenix, Arizona, Jan. 21.

The President of Senate, Bismarck, N. D.:

The Twenty-second legislative assembly of the territory of Arizona sends greetings to the legislature of the state of North Dakota and respectfully prays that your honorable body request its representatives in the senate of United States to favor the passage of the Omnibus statehood bill.

J. O. EVANS,
Chief Clerk.

REPORT OF SENATE JUDICIARY COMMITTEE.

The committee on judiciary made the following report:

Mr. President:

Your committee on judiciary 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.

Which report was adopted.

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 do pass.

C. B. LITTLE,
Chairman.

Which report was adopted.

Mr. LaMoure offered 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;

Mr. LaMoure moved its adoption.

Which motion prevailed.

The president appointed as such committee Messrs. LaMoure and Robinson.

The president announced that Senate Bill No. 32 be recalled from the committee on corporations other than municipal and referred to the committee on judiciary.

INTRODUCTION AND FIRST READING OF SENATE BILLS.

Mr. Bacon introduced

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.

Mr. Jacobson introduced

Senate Bill No. 48,

A bill for an act to provide for the protection of the health, lives and interests of the coal miners of North Dakota, and to provide for the inspection of all coal mines in this state, and the conducting and operating of coal mines, and to create a state inspector of mines.

Which was read the first time.

Mr. Cashel introduced

Senate Bill No. 49,

A concurrent resolution to amend the constitution of the state of North Dakota by the eighth legislative assembly, and by it submitted to the ninth legislative assembly.

Which was read the first time.

Mr. Cashel introduced

Senate Bill No. 50,

A bill for an act requiring the superintendent of public in-

struction to publish and distribute the proceedings to the North Dakota educational association.

Which was read the first time.

Mr. Kirkeide introduced

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.

Which was read the first time.

Mr. Hale introduced

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.

Mr. Johnson introduced

Senate Bill No. 53,

A bill for an act to amend and re-enact chapter 165 of the session laws of the state of North Dakota for the year 1901, relating to the rights of purchasers of land at sale for the non-payment of taxes.

Which was read the first time.

Mr. Gulack introduced

Senate Bill No. 54,

A bill for an act to amend section 5605 of the Revised Codes of 1899 relating to appeals in civil actions.

Which was read the first time.

SECOND READING OF SENATE BILLS.

Senate Bill No. 19,

A bill for an act to amend section 172 of the Revised Codes relating to the investment of the permanent school fund.

Was read the second time, and

Referred to the committee on education.

Also,

Senate Bill No. 25,

A bill for an act in relation to the defense of suicide in suits brought upon life insurance policies.

Was read the second time, and

Referred to the committee on insurance.

Also,

Senate Bill No. 34,

A bill for an act amending section 404, Revised Codes North

Dakota, 1899, defining the boundaries and terms of court of the Second judicial district.

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

Also,
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.

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

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 judiciary.

The following were sworn in by the president as enrolling and engrossing clerks: E. R. Steinbrueck and P. H. Gaffney.

Mr. Little moved
That the senate do now adjourn,
Which motion prevailed, and
The senate adjourned.

R. M. TUTTLE,
Secretary.

EIGHTEENTH DAY

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 23, 1903.

The senate met at 2 o'clock p. m., pursuant to adjournment.

The president presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Voss, Talcott, Brown and Pierce, who were excused.

COMMUNICATIONS FROM THE SECRETARY OF STATE.

The following communications were received from the secretary of state.

To the Senate:

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 Senate:

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.

To the Senate:

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 Senate:

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 beneor 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.

REPORT OF STANDING COMMITTEES.

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

Mr. President:

Your committee on revision and correction of the journal of the 16th and 17th days have carefully examined the same and find no corrections to make therein.

MAYNARD CRANE,
Acting Chairman.

Which report was adopted.

The committee on judiciary made the following report:

Mr. President:

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 be amended as follows:

That the words "or is" in line 2 of section 3, on page 2, and the words "served with summons" in line 3 of section 3, on page 2, be stricken out.

And when so amended recommend the same do pass.

C. B. LITTLE,
Chairman.

Which report was adopted.

The committee on corporations other than municipal made the following report:

Mr. President:

Your committee on corporations other than municipal 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 be amended as follows:

After the word "thereof" in last paragraph insert the following words: "And satisfy any real estate or chattel mortgages and other liens which may appear of record in favor of such corporation dissolved."

And when so amended recommend the same do pass.

MAYNARD CRANE,
Chairman.

Which report was adopted.

The committee on state affairs made the following report:

Mr. President:

Your committee on state affairs 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.

A. B. COX,
Chairman.

Which report was adopted.

The committee on engrossed bills made the following report.

Mr. President:

Your committee on engrossed bills have examined

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.

And find the same correctly engrossed.

H. E. LAVAYEA,
Chairman.

Which report was adopted.

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.

And find the same correctly engrossed.

H. E. LAVAYEA,
Chairman.

Which report was adopted.

MOTIONS AND RESOLUTIONS.

Mr. LaMoure offered the following 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.

Mr. LaMoure moved
The adoption of the resolution.
Which motion prevailed.

Mr. Little offered the following resolution:

Resolved, That the members of this senate, where practicable, prepare one copy of all bills and resolutions introduced, for the use of representatives of the press at the reporter's table, to the end that the public may be promptly and correctly informed of the nature of all measures originating in this body.

Mr. Little moved
The adoption of the resolution.
Which motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS.

Mr. Cox introduced
Senate Bill No. 55,
A bill for an act to provide against discrimination in insurance rates, fixing the penalty for violation of the same.
Which was read the first time.

Mr. Williams introduced
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.
Which was read the first time.

Mr. Williams introduced
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.
Which was read the first time.

Mr. Williams introduced
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 time.

Mr. Crane introduced

Senate Bill No. 59,

A bill for an act to prohibit the sale of goods, wares and merchandise in certain cases by hawkers, peddlers, and others, without first obtaining a license therefor; authorizing the governing bodies of cities, villages and counties to establish license tax rates and grant licenses, and prescribing penalties for a violation of its provisions.

Which was read the first time.

Mr. Main introduced

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.

Which was read the first time.

Mr. McArthur introduced

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.

Mr. Lofthus introduced

Senate Bill No. 62,

A bill for an act to amend chapter 205 of the session laws of 1901, being section 2591 of the Revised Codes of 1899, relating to the meetings of township board supervisors.

Which was read the first time.

Mr. Little introduced

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.

Which was read the first time.

Mr. Regan introduced

Senate Bill No. 64,

A bill for an act to repeal chapter 83 of the session laws of 1901.

Which was read the first time.

Mr. Crane introduced

Senate Bill No. 65,

A bill for an act to establish a state fair board, prescribe its duties and making an appropriation for state fairs.

Which was read the first time.

Mr. Williams introduced
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.

Which was read the first time.

Mr. Hale introduced
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 was read the first time.

Mr. Cashel introduced
Senate Bill No. 68,

A concurrent resolution providing for the changing of the location of the institution for the feeble minded from Jamestown, N. D., to Grafton, N. D.

Which was read the first time.

SECOND READING OF SENATE BILLS.

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 second time and

Referred to the committee on appropriations.

Senate Bill No. 24,

A bill for an act to establish a topographic, geologic, agricultural, and general economic and natural history survey of the state in two divisions, providing for a board of control, making an appropriation therefor, and providing a system of auditing accounts.

Was read the second time and

Referred to the committee on education.

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 Govern-

ment Agricultural Experiment Station with the duty thereof, charging the state's attorney with the enforcement hereof and making an appropriation therefor.

Was read the second time and

Referred to the committee on state affairs.

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 ways and means.

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 second time and

Referred to the committee on judiciary.

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 second time and

Referred to the committee on appropriations.

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 second time and

Referred to the committee on appropriations.

Senate Bill No. 33,

A bill for an act to determine the heirship to the government homestead or tree claim of a deceased homestead settler or timber culture claimant, in cases where the heirs of such claimant, or some of them, make the final proof, and to assign and distribute the lands entered to the heirs so determined and to make a record of such determination of heirship and distribution and assignment of such lands.

Was read the second time and

Referred to the committee on judiciary.

Senate Bill No. 35,

A bill for an act establishing the Eighth judicial district and defining the boundaries thereof, and terms of court therein, and providing for the appointment and election of a judge therefor.

Was read the second time and

Referred to the committee on judiciary.

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 state affairs.

Senate Bill No. 37,

A bill for an act to amend section 3094, of chapter 14, of the Revised Codes of 1899, relating to insurance companies.

Was read the second time, and

Referred to the committee on insurance.

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 second time, and

Referred to the committee on judiciary.

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 second time, and

Referred to the committee on appropriations.

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 second time, and

Referred to the committee on temperance.

Senate Bill No. 42,

A bill for an act to repeal section 7594 of the Revised Codes of North Dakota, relating to druggists' permits.

Was read the second time, and

Referred to the committee on temperance.

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 second time, and

Referred to the committee on judiciary.

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 second time, and
Referred to the committee on judiciary.

Senate Bill No. 45,

A bill for an act to amend section 653 of the Revised Codes of 1899, relating to qualifications of county superintendent of schools.

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

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.

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

Senate Bill No. 68,

A concurrent resolution providing for the changing of the location of the institution for the feeble minded from Jamestown, N. D., to Grafton, N. D.

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

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 34, nays 2, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—

Bacon
Carroll
Cashel
Clarke
Cox
Crane
Devlin
Fox
Garnett
Geer
Gulack
Hagen

Messrs.—

Hale
Jacobson
Johnson
Kirkeide
LaMoure
Lavayea
Lewis
Little
Lofthus
Macdonald
Main

Messrs.—

McArthur
McLean
Plain
Regan
Robinson
Sharpe
Simpson
Swenson
Taylor
Williams
Wiperman

Those who voted in the negative were:

Messrs.—	Messrs.—
Benson	Herbrandson

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brown	Voss	Talcott
Pierce		

Messrs. Brown, Pierce, Talcott and Voss being excused.

So the bill passed and the title was agreed to.

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 35, nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hagen	Main
Benson	Hale	McArthur
Carroll	Herbrandson	McLean
Cashel	Jacobson	Plain
Clarke	Johnson	Regan
Cox	Kirkeide	Robinson
Crane	LaMoure	Sharpe
Devlin	Lavayea	Simpson
Fox	Lewis	Swenson
Garnett	Little	Taylor
Geer	Lofthus	Williams
Gulack	Macdonald	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brown	Talcott	Voss
Pierce		

Messrs. Brown, Pierce, Talcott and Voss being excused.

So the bill passed and the title was agreed to.

The president announced that Senate Bill No. 24 is hereby re-referred from the committee on education to the committee on appropriations.

The following were sworn in by the president: R. R. Hedtke and Emma Messersmith as enrolling and engrossing clerks.

Mr. Sharpe moved

That the senate do now adjourn,

Which motion prevailed, and

The senate adjourned.

R. M. TUTTLE,
Secretary.

NINETEENTH DAY

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 24, 1903.

The senate met at 2 o'clock p. m., pursuant to adjournment.

The president presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Brown, Carroll, Gulack, Jacobson, Johnson, Macdonald, Pierce, Talcott, Voss, Williams, who were excused.

REPORTS OF STANDING COMMITTEES.

The committee on insurance made the following report:

Mr. President:

Your committee on insurance to whom was referred

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 do pass.

J. A. REGAN,
Chairman.

Which report was adopted.

The committee on education made the following report:

Mr. President:

Your committee on education to whom was referred

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.

Have had the same under consideration and recommend that the same be amended as follows:

After the enacting clause insert the words: "Section 1. Amendment.) That sections 867, 869, 870, 871 and 872 of the Revised Codes of 1899 be amended to read as follows:"

In line 1 of the printed bill, after the figures 867 strike out the letter "a."

In the sixth line of the first page of the printed bill, after the figures 867 strike out the letter "b" and insert in lieu thereof the letter "a."

In the eleventh line of the first page of the printed bill, after the word "board" insert the following words, 'not to exceed \$1,800 per annum.'

In the fourth line of the second page of the printed bill, strike out the word "such" where it occurs before the word "pecuniary."

In the seventh line of the second page of the printed bill, insert the word "general" before the words "course of study."

In the eighth line of the second page of the printed bill, strike out the word "article" and insert the word "act" in lieu thereof.

In the tenth line of the second page of the printed bill, strike out the word "the" and insert the word "its" in lieu thereof.

Also strike out the words "pursuing said preparatory courses" from the tenth line of the second page of the bill.

In the seventeenth line of the second page of the printed bill, strike out the word "article" and insert the word "act" in lieu thereof.

In the second line of the third page of the printed bill, strike out the word "article" and insert the word "act" in lieu thereof.

In the fourth line of the third page of the printed bill, strike out the word "having" and insert the word "maintaining" in lieu thereof.

In the eleventh line of the third page of the printed bill, strike out the word "article" and insert the word "act" in lieu thereof.

In the fifteenth line of the fourth page of the printed bill, strike out the word "article" and insert the word "act" in lieu thereof.

Also by adding as section 2, "All acts or parts of acts in conflict with the provisions of this act are hereby repealed."

And when so amended recommend that the same do pass.

H. E. LAVAYEA,
Chairman.

By request of Mr. Lavayea, Senate bill No. 16 was re-referred to committee on appropriations.

The committee on engrossed bills made the following report:

Mr. President:

Your committee on engrossed bills, 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 examined the same and find it correctly engrossed.

H. E. LAVAYEA,
Chairman.

The committee on judiciary made the following report:

Mr. President:

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 be amended as follows:

That the word "county" be stricken from line No. 8 of section 1 of said bill.

And when so amended recommend that the same do pass.

C. B. LITTLE,
Chairman.

Which report was adopted.

INTRODUCTION AND FIRST READING OF SENATE BILLS.

Mr. Voss introduced
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.

Which was read the first time.

Mr. Plain introduced
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.

Which was read the first time.

Mr. Lofthus introduced
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.

Which was read the first time.

Mr. Hagen introduced
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.

Which was read the first time.

SECOND READING OF SENATE BILLS.

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.

Also,

Senate Bill No. 49,

A concurrent resolution to amend the constitution of the state of North Dakota by the eighth legislative assembly, and by it submitted to the ninth legislative assembly.

Was read the second time, and

Referred to the committee on education.

Also,

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.

Was read the second time, and

Referred to the committee on education.

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.

Was read the second time, and

Referred to the committee on education.

Also,

Senate Bill No. 53,

A bill for an act to amend and re-enact chapter 165 of the session laws of the state of North Dakota for the year 1901, relating to the rights of purchasers of land at sale for the non-payment of taxes.

Was read the second time, and

Referred to the committee on judiciary.

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.

Was read the second time, and

Referred to the committee on appropriations.

Also,

Senate Bill No. 65,

A bill for an act to establish a state fair board, prescribe its duties and making an appropriation for state fairs.

Was read the second time, and

Referred to the committee on appropriations.

Also,

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 second time, and

Referred to the joint committee on educational institutions.

THIRD 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 third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 29, nays none, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—

Bacon
Benson
Cashel
Clarke
Cox
Crane
Devlin
Fox
Garnett
Geer

Messrs.—

Hagen
Hale
Herbrandson
LaMoure
Lavayea
Lewis
Little
Lofthus
Main
McArthur

Messrs.—

McLean
Plain
Regan
Robinson
Sharpe
Simpson
Swenson
Taylor
Wipperman

Absent and not voting:

Messrs.—

Brown
Carroll
Gulack
Kirkeide

Messrs.—

Jacobson
Johnson
Macdonald
Pierce

Messrs.—

Talcott
Voss
Williams

Messrs. Brown, Carroll, Gulack, Jacobson, Johnson, Kirkeide, Macdonald, Pierce, Talcott, Voss, Williams, being excused.

So the bill passed and the title was agreed to.

The courtesies of the floor were extended to O. F. Schnell of Minneapolis, Minn.; also Henry Buik of Wells county, North Dakota.

Mrs. Anna E. Grivelle was sworn in by the president as enrolling and engrossing clerk.

Mr. Cox moved

That the senate do now adjourn.

Which motion prevailed, and

The senate adjourned.

R. M. TUTTLE,
Secretary.

TWENTY-FIRST DAY

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 26, 1903.

The senate met at 2 o'clock p. m. pursuant to adjournment.

The president presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Carroll, Gulack, Jacobson, Johnson, Little, McDonald, Pierce, Robinson, Talcott and Williams, who were excused.

REPORTS OF STANDING COMMITTEES.

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

Mr. President:

Your committee on revision and correction of the journal of the eighteenth and nineteenth days have carefully examined the same and find the same correct and recommend that they be approved.

MAYNARD CRANE,
Acting Chairman.

Which report was adopted.

The committee on engrossed and enrolled bills made the following report:

Mr. President:

Your committee on engrossed and enrolled bills have examined 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. 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.

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.

And find the same correctly engrossed.

H. E. LAVAYEA,
Chairman

INTRODUCTION AND FIRST READING OF SENATE BILLS.

Mr. LaMoure introduced

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.

Mr. LaMoure moved

That the rules be suspended, and

That Senate Bill No. 73 be read the second time and referred.

Which motion prevailed.

Mr. Simpson introduced

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.

Which was read the first time.

Mr. Sharpe introduced.

Senate Bill No. 75,

A bill for an act providing for a system of primary elections for nominating candidates for election by popular vote.

Which was read the first time.

Mr. Main introduced

Senate Bill No. 76,

A bill for an act to prohibit the use and manufacture of cannon fire crackers.

Which was read the first time.

Mr. Taylor introduced

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 was read the first time.

Mr. Taylor introduced

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.

Which was read the first time.

SECOND READING OF SENATE BILLS.

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 second time, and

Referred to the committee on warehouse and grain grading.

Also,

Senate Bill No. 54,

A bill for an act to amend section 5605 of the Revised Codes of 1899 relating to appeals in civil actions.

Was read the second time, and

Referred to the committee on judiciary.

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 second time, and

Referred to the committee on insurance.

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.

Was read the second time, and

Referred to the committee on municipal corporations.

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.

Was read the second time, and

Referred to the committee on municipal corporations.

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.

Was read the second time, and

Referred to the committee on municipal corporations.

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 1891, relating to education.

Was read the second time, and

Referred to the committee on education.

Also,

Senate Bill No. 61,

A bill for an act to amend section 481 of the Revised Codes of 1899, providing the formaion of election precincts.

Was read the second time, and

Referred to the committee on education.

Also,

Senate Bill No. 62,

A bill for an act to amend chapter 205 of the session laws of 1901, being section 2591 of the Revised Codes of 1899, relating to the meetings of township bouard supervisors.

Was read the second time, and

Referred to the committee on municipal corporations.

Also,

Senate Bill No. 64,

A bill for an act to repeal chapter 83 of the session laws of 1901.

Was read the second time, and

Referred to the committee on state affairs.

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.

Was read the second time, and

Referred to the committee on appropriations.

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.

Was read the second time, and

Referred to the committee on elections.

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.

Was read the second time, and

Referred to the committee on warehouse and grain grading.

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.

Was read the second time, and

Referred to the committee on ways and means.

Also,

Senate Bill No. 59,

A bill for an act to prohibit the sale of goods, wares and merchandise in certain cases by hawkers, peddlers, and others, without first obtaining a license therefor; authorizing the governing bodies of cities, villages and counties to establish license tax rates and grant licenses, and prescribing penalties for a violation of its provisions.

Was read the second time, and

Referred to the committee on ways and means.

Also,

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 second time, and

Referred to the committee on education.

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.

Was read the second time, and

Referred to the committee on ways and means.

THIRD READING OF SENATE BILLS.

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 28, nays none, absent and not voting 12.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	McLean
Benson	Herbrandson	Plain
Cashel	Kirkeide	Regan
Clarke	LaMoure	Sharpe
Crane	Lavayea	Simpson
Devlin	Lewis	Swenson
Fox	Lofthus	Taylor
Garnett	Main	Voss
Geer	McArthur	Wipperman
Hagen		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brown	Jacobson	Pierce
Carroll	Johnson	Robinson
Cox	Little	Talcott
Gulack	Macdonald	Williams

Messrs. Brown, Carroll, Cox, Gulack, Jacobson, Johnson, Little, Macdonald, Pierce, Robinson, Talcott and Williams being excused.

So the bill passed and the title was agreed to.

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 question being upon the final passage of the bill.

The roll was called and there were ayes 24, nays 3, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hagen	McLean
Cashel	Hale	Plain
Clarke	Kirkeide	Regan
Crane	LaMoure	Sharpe
Devlin	Lavayea	Simpson
Fox	Lewis	Swenson
Garnett	Main	Taylor
Geer	McArthur	Voss

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Benson	Herbrandson	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brown	Johnson	Pierce
Carroll	Little	Robinson
Cox	Lofthus	Talcott
Gulack	Macdonald	Williams
Jacobson		

Messrs. Brown, Carroll, Cox, Gulack, Jacobson, Johnson, Little, Macdonald, Pierce, Robinson, Talcott and Williams being excused.

So the bill passed and the title was agreed to.

Mr. LaMoure offered the following concurrent resolution:

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.

Mr. LaMoure moved
The adoption of the resolution.
Which motion prevailed, and
The resolution was adopted.

Mr. LaMoure moved
That as a further mark of respect and as a regard of this body
That the senate do now adjourn,
Which motion prevailed, and
The senate adjourned.

R. M. TUTTLE,
Secretary.

TWENTY-SECOND DAY

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 27, 1903.

The senate met at 2 o'clock p. m., pursuant to adjournment.

The president presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Jacobson, Pierce and Talcott, who were excused.

REFERENCE OF THE JOURNAL.

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

Mr. President:

Your committee on revision and correction of the journal of the twenty-first day have carefully examined the same and find the same correct and recommend that it be approved.

MAYNARD CRANE,
Acting Chairman.

Which report was adopted.

REPORTS OF STANDING COMMITTEES.

The committee on ways and means made the following report:

Mr. President:

Your committee on ways and means to whom was referred 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.

Have had the same under consideration and recommend that the same do pass.

J. B. SHARPE,
Chairman.

The joint committee on educational institutions made the following report:

Mr. President:

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.

HENRY HALE,
Chairman.

MOTIONS AND RESOLUTIONS.

Mr. Regan moved

That Floyd Brown be elected page.

Which motion prevailed, and

Floyd Brown was sworn in by the president as a page.

Mr. LaMoure offered the following resolution:

Resolved, That the state auditor be requested to furnish the senate with an itemized account of the disbursements that have been made during the years 1901 and 1902 under the provisions of section 871 of the revised codes of 1899 relating to the high school board and examiners.

Mr. LaMoure moved

The adoption of the resolution.

Which motion prevailed.

Mr. LaMoure offered the following resolution:

Resolved, That the secretary of state be requested to mail each day a copy of the senate journal, and a copy of each bill introduced in the senate to each newspaper published in the state.

Mr. LaMoure moved

The adoption of the resolution.

Which motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS.

Mr. Voss introduced

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.

Which was read the first time.

Mr. Cox introduced

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.

Which was read the first time.

Mr. Cox introduced

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 was read the first time.

Mr. Cox introduced

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.

Which was read the first time.

Mr. Cox introduced

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.

Which was read the first time .

Mr. LaMoure introduced

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.

Which was read the first time .

Mr. Lavayea introduced

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 high-ways, and making valid such grants heretofore made.

Which was read the first time.

Mr. Main introduced

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 was read the first time .

Mr. Cashel introduced

Senate Bill No. 87,

A bill for an act to amend section 343a of the Revised Codes of 1899, relating to county treasurers' official bond.

Which was read the first time.

Mr. Cashel introduced

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.

Which was read the first time.

Mr. LaMoure moved

That the rules be suspended and

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.

Be placed upon its third reading and final passage.

Which motion prevailed.

THIRD 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 third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 33, nays 1, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—

Bacon
Brown
Carroll
Cashel
Clarke
Cox

Messrs.—

Gulack
Hagen
Hale
Johnson
Kirkeide
LaMoure

Messrs.—

McLean
Plain
Regan
Robinson
Sharpe
Simpson

Messrs.—	Messrs.—	Messrs.—
Crane	Lavayea	Swenson
Devlin	Lewis	Taylor
Fox	Little	Voss
Garnett	Macdonald	Williams
Geer	Main	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Jacobson	Lofthus	Pierce
Benson	McArthur	Talcott

Mr. Herbrandson voting in the negative.

Messrs. Jacobson, Pierce and Talcott being excused.

Mr. Sharpe moved

That the title be amended to read as follows:

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.

Which motion prevailed.

So the bill passed and the title, as amended, was agreed to.

Mr. LaMoure moved

That the vote by which

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 passed be reconsidered, and the motion to reconsider be laid on the table.

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 36, nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Gulack	McArthur
Benson	Hagen	McLean
Brown	Hale	Plain
Carroll	Herbrandson	Regan
Cashel	Johnson	Robinson
Clarke	Kirkeide	Sharpe
Cox	LaMoure	Simpson
Crane	Lavayea	Swenson
Devlin	Lewis	Taylor
Fox	Little	Voss
Garnett	Macdonald	Williams
Geer	Main	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Jacobson	Pierce	Talcott
Lofthus		

Messrs. Jacobson, Talcott and Pierce 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 30, nays 1, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Gulack	McLean
Benson	Hagen	Plain
Cashel	Hale	Regan
Clarke	Herbrandson	Robinson
Cox	Johnson	Sharpe
Crane	Kirkeide	Simpson
Devlin	LaMoure	Swenson
Fox	Macdonald	Taylor
Garnett	Main	Voss
Geer	McArthur	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brown	Lavayea	Lofthus
Carroll	Lewis	Pierce
Jacobson	Little	Talcott

Mr. Williams voting in the negative.

Messrs. Jacobson, Pierce and Talcott being excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 27, 1903.

The following message was received from the House:

Mr. President:

I have the honor to inform you that the house of representatives has concurred in the concurrent resolution extending the thanks

of the legislative assembly to Hon. Moses K. Armstrong for his kind remembrance, and a copy of said concurrent resolution is herewith transmitted.

Also,

I have the honor to inform you that the house has concurred in the concurrent resolution relating to the death of Captain Alexander Griggs.

Also,

I have the honor to transmit herewith house concurrent resolution providing for a joint session of the house and senate to be held on Wednesday, February 4, 1903, at 2 o'clock p. m., for the purpose of hearing the representatives of the Louisiana purchase exposition, which the house has passed, and your concurrence therein is requested.

CONCURRENT RESOLUTION.

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., February 4, 1903, for the purpose of hearing the representatives of said exposition.

Also,

I have the honor to transmit herewith

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 the house has passed, and your favorable consideration thereof is requested.

A. O. ANDERSON,

Chief Clerk.

The courtesies of the floor were extended to Hon. Tracy Bangs of Grand Forks, Hon. James Kennedy of Fargo, Hon. Alfred Zuger of Valley City and Hon. Wm. J. Westergaard of Valley City.

Mr. LaMoure moved

That the senate do now adjourn,

Which motion prevailed, and

The senate adjourned.

R. M. TUTTLE,

Secretary.

TWENTY-THIRD DAY

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 28, 1903.

The senate met at 2 o'clock p. m., pursuant to adjournment.

The president presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Jacobson, Benson and Pierce, who were excused.

PETITIONS AND COMMUNICATIONS.

Mr. Swenson presented the following communication:

To the Hon. Iver Swenson, State Senator of the Seventeenth Legislative District:

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.

E. P. OLSGARD,
and 125 others.

COMMUNICATION FROM THE STATE AUDITOR.

STATE OF NORTH DAKOTA,
AUDITOR'S DEPARTMENT,
January 27, 1903.

The following communication was received from the state auditor:

To the Senate of the Eighth Legislative Assembly, Bismarck, N. D.:

Gentlemen: In accordance with the resolution passed I have the honor to transmit herewith a statement giving the number, date, person to whom issued, and amount of each warrant issued account of the State Aid High School fund from January, 1901, to January 1, 1903, as provided in section 871 of the revised codes of 1899.

Such other information as you may wish regarding this account will be furnished.

Respectfully,

H. L. HOLMES,
State Auditor.

FOR STATE AID HIGH SCHOOLS.

Appropriation for 1901 and 1902; appropriation commencing July 1.	\$ 8,000.00
Balance old appropriation, January 1, 1901.....	7,405.66
Total.....	\$15,405.66

EXPENDITURES.

No. W'nt.	Date.	To Whom Issued.	Amount.
36,989	Jan. 9, 1901	G W Swengle, treasurer.....	\$ 175.00
36,990	Jan. 9, 1901	S M Pye, treasurer.....	175.00
36,991	Jan. 9, 1901	H H Walker, treasurer.....	175.00
36,992	Jan. 9, 1901	T A Haslin, treasurer.....	175.00
36,993	Jan. 9, 1901	A E Cobb, treasurer.....	175.00
36,994	Jan. 9, 1901	E Y Sarles, treasurer.....	175.00
36,995	Jan. 9, 1901	George Lutz, treasurer.....	175.00
36,996	Jan. 9, 1901	A L Intlehouse, treasurer.....	175.00
36,997	Jan. 9, 1901	W F Fallis, treasurer.....	175.00
36,998	Jan. 9, 1901	J D Wallace, treasurer.....	140.00
36,999	Jan. 9, 1901	T I Randall, treasurer.....	140.00
37,000	Jan. 9, 1901	S E Brown, treasurer.....	140.00
37,001	Jan. 9, 1901	Hans Lee, treasurer.....	140.00
37,002	Jan. 9, 1901	G W Ryan, treasurer.....	140.00
37,003	Jan. 9, 1901	A Childerhose, treasurer.....	140.00
37,004	Jan. 9, 1901	A J Henry, treasurer.....	140.00
37,005	Jan. 9, 1901	O S Hanson, treasurer.....	100.00
37,006	Jan. 9, 1901	E W Blackwell, treasurer.....	100.00
37,007	Jan. 9, 1901	R H Johnson, treasurer.....	100.00
37,008	Jan. 9, 1901	H H Simmons, treasurer.....	100.00
37,009	Jan. 9, 1901	John B Milne, treasurer.....	100.00
37,010	Jan. 9, 1901	J J Collins, treasurer.....	100.00
37,011	Jan. 9, 1901	J H Hohl, treasurer.....	100.00
37,012	Jan. 9, 1901	Roya Allen, treasurer.....	100.00
37,557	Feb. 8, 1901	Grand Forks Herald, bill of blanks, \$74.25; approved by J M Devine; 4,000 h s certificates, \$15; 2,000 copies, 48 pages and cover, \$141.95; approved by Merrifield and Halland.....	231.20
37,558	Feb. 8, 1901	W L Neussler, bill for services; approved by Merrifield and Halland.....	229.25
37,560	Feb. 8, 1901	J G Halland, railroad fare and berth, \$16.50; hack and hotel, \$5.50; phone and messages, \$7.85; railroad fare, \$9.35; hotel, \$1.50.....	40.50
37,561	Feb. 8, 1901	Morrison & Algieron, bill of stamps, stationery and envelopes; approved by Merrifield and Halland.....	23.76
38,763	April 11, 1901	The Herald, bill of 5,000 certificates; approved by E. F. Porter.....	16.75
38,781	April 15, 1901	Anna M Chandler, 28 hours examination of papers; approved by J M Devine.....	14.00
38,782	April 15, 1901	Walter G Mason, bill for services; approved by J M Devine.....	117.56
39,091	May 29, 1901	Deveney & Frazier, stamps and supplies; approved by Merrifield.....	24.71
39,092	May 29, 1901	J M Devine, expenses and per diem h c board, sleeper, mileage, hotel and phone message.....	25.69
39,443	June 28, 1901	The Herald, examination questions, 22 sets and covers, and 1,700 envelopes; approved by E F Porter.....	70.50

No. Wn't.	Date.	To Whom Issued.	Amount.
39,530	July 26, 1901	Morrison & Algierson, bill of stamps, envelopes and rubber bands; approved by Merrifield.....	4.94
39,531	July 26, 1901	Gunnar Algierson, bill for 17½ hours recording papers; approved by Merrifield.....	4.34
39,532	July 26, 1901	Deveney & Frazier; bill of stamps examination papers; approved by Merrifield.....	22.16
39,661	Aug. 27, 1901	The Herald, ruling 500 half-cap sheets; approved by Merrifield.....	4.50
39,662	Aug. 27, 1901	P S Berg, bill for services; approved by Merrifield.....	9.50
39,848	Sept. 16, 1901	W L Stockwell, bill for 61 hours examining papers.....	30.50
40,109	Nov. 26, 1901	G F Johnson, bill for services; approved by Merrifield.....	76.98
41,110	Nov. 26, 1901	W L Messle, bill for services; approved by A L Woods, deputy superintendent.....	68.35
40,279	Dec. 13, 1901	J M Devine, mileage and services h c board, Grand Forks, \$26.10; mileage and services inspection high school at Grafton, \$32.04..	58.14
40,280	Dec. 13, 1901	A E Morrison, secretary, bill for express charges and rubber stamp; approved by Merrifield.....	1.75
40,281	Dec. 13, 1901	P E Byrne, treasurer.....	175.00
40,282	Dec. 13, 1901	H H Walters, treasurer.....	175.00
40,283	Dec. 13, 1901	Thomas Haslin, treasurer.....	175.00
40,284	Dec. 13, 1901	A E Cobb, treasurer.....	175.00
40,285	Dec. 13, 1901	E Y Sarles, treasurer.....	175.00
40,286	Dec. 13, 1901	S F Corwin, treasurer.....	175.00
40,287	Dec. 13, 1901	A L Intlehouse, treasurer.....	175.00
40,288	Dec. 13, 1901	W. F. Fallis, treasurer.....	175.00
40,289	Dec. 13, 1901	G W Swengle, treasurer.....	175.00
40,290	Dec. 13, 1901	J R Hogg, treasurer.....	140.00
40,291	Dec. 13, 1901	August Short, treasurer.....	140.00
40,292	Dec. 13, 1901	L I Randall, treasurer.....	140.00
40,293	Dec. 13, 1901	A C Grant, treasurer.....	140.00
40,294	Dec. 13, 1901	S E Brown, treasurer.....	140.00
40,295	Dec. 13, 1901	A J. Henry, treasurer.....	140.00
40,296	Dec. 13, 1901	Hans Lee, treasurer.....	140.00
40,297	Dec. 13, 1901	O S Hanson, treasurer.....	100.00
40,298	Dec. 10, 1901	Wilber Haughton, treasurer.....	100.00
40,299	Dec. 13, 1901	R H Johnson, treasurer.....	100.00
40,300	Dec. 13, 1901	W H Simmons, treasurer.....	100.00
40,301	Dec. 13, 1901	J D Milne, treasurer.....	100.00
40,302	Dec. 13, 1901	J J Collins, treasurer.....	100.00
40,303	Dec. 13, 1901	E S Sivertson, treasurer.....	100.00
40,304	Dec. 13, 1901	Royce Allen, treasurer.....	100.00
40,753	Mar. 4, 1902	J M Devine, mileage and 12 days at Dickinson, Mayville, Valley City, Grand Forks, Minot and Fessenden.....	102.36
40,831	Mar. 7, 1902	James Allen, bill for services; approved by Merrifield.....	2.75
40,832	Mar. 7, 1902	W N Lawyer, bill for services; approved by Merrifield.....	15.00
40,833	Mar. 7, 1902	The Herald, bill for 1,000 envelopes; approved by Merrifield.....	3.25
40,834	Mar. 7, 1902	Webster Merrifield, bill for paper file and paid for work on papers and for express on papers to and from high schools.....	12.39

No. W'nt.	Date.	To Whom Issued.	Amount.
40,835	Mar. 7, 1902	J M Devine, mileage and expenses and 11 days at Edgely, Kulm, Valley City, Rugby and Devils Lake.....	99.29
40,836	Mar. 7, 1902	V Stefason, bill for services; approved by Merrifield.....	10.00
40,837	Mar. 7, 1902	P S Berg, bill for services; approved by Merrifield.....	9.50
50,173	May 3, 1902	J M Devine, mileage and 7 days and expenses at Grafton, Cando, Bismarck, Wahpeton, and Devils Lake.....	68.14
50,174	May 3, 1902	J M Devine, Emerado to Williston; Williston to Bismarck, 4 days and expenses.....	47.04
50,175	May 3, 1902	V Stefanson, bill for services; approved by Merrifield.....	7.50
50,176	May 3, 1902	W E Hoover, bill for services; approved by Merrifield.....	14.75
50,523	June 4, 1902	J M Devine, mileage, 6 days, and expenses Fargo and return and Minot and return...	69.19
50,524	June 4, 1902	U Book Store, bill for stationery and stamps; approved by Merrifield.....	23.28
50,840	July 25, 1902	P E Byrne, treasurer.....	175.00
50,841	July 25, 1902	Treasurer Casselton, N D.....	175.00
50,842	July 25, 1902	Thomas A Haslan, treasurer.....	175.00
50,843	July 25, 1902	A E Cobb, treasurer.....	175.00
50,844	July 25, 1902	E Y Sarles, treasurer.....	175.00
50,845	July 25, 1902	S F Corwin, treasurer.....	175.00
50,846	July 25, 1902	School treasurer, Lisbon.....	175.00
50,847	July 25, 1902	School treasurer, Park River.....	175.00
50,848	July 25, 1902	School treasurer, Larimore.....	175.00
50,849	July 25, 1902	School treasurer, Drayton.....	140.00
50,850	July 25, 1902	School treasurer, Pembina.....	140.00
50,851	July 25, 1902	L I Randall, treasurer.....	140.00
50,852	July 25, 1902	School treasurer, St. Thomas.....	140.00
50,853	July 25, 1902	S E Brown, treasurer.....	140.00
50,854	July 25, 1902	A J Henry, treasurer.....	140.00
50,855	July 25, 1902	Hans Lee, treasurer.....	140.00
50,856	July 25, 1902	A S Hanson, treasurer.....	100.00
50,857	July 15, 1902	E W Blackwell, treasurer.....	100.00
50,858	July 25, 1902	R H Johnson, treasurer.....	100.00
50,859	July 25, 1902	School treasurer, Hunter.....	100.00
51,860	July 25, 1902	J D Milne, treasurer.....	100.00
51,861	July 25, 1902	J J Collins, treasurer.....	100.00
51,862	July 25, 1902	E S Severtson, treasurer.....	100.00
51,863	July 25, 1902	School treasurer, Thompson.....	100.00
50,998	Aug. 27, 1902	J M Devine, messages, \$1.35; mileage, 7 days, and expenses at Wheatland, Lisbon, La-Moure and Grand Forks.....	72.43
51,024	Aug. 28, 1902	A E Morrison, bill of express charges and paid for services; approved by Merrifield..	26.33
51,025	Aug. 28, 1902	Webster Merrifield, bill of railroad and hotel bills, twelve towns.....	25.26
51,026	Aug. 28, 1902	W L Neussle, state examination papers, 57 hours; approved by Merrifield.....	28.50
51,027	Aug. 28, 1902	U Book store, bill for stamps; approved by Merrifield.....	8.80
51,028	Aug. 28, 1902	W E Hoover, bill for services; approved by Merrifield.....	24.62
51,029	Aug. 28, 1902	Jennie Allen, bill for services; approved by Merrifield.....	15.00

No. W'nt.	Date.	To Whom Issued.	Amount.
51,211	Sept. 30, 1902	Maud Sanford, bill for services; approved by Merrifield.....	40.75
51,212	Sept. 30, 1902	Minnie Weight, bill for services; approved by Merrifield.....	17.00
51,213	Sept. 30, 1902	U Book Store, 400 paper wrappers; approved by Merrifield.....	4.48
51,537	Nov. 11, 1902	The Herald, bill for 10,000 certificates; approved by Merrifield.....	21.75
51,547	Nov. 11, 1902	J M Devine, mileage, 11 days and expenses to Williston, LaMoure, Edgely, Grand Forks, Devils Lake and Minot.....	140.45
Total.....			\$ 12,076.10
Balance January 1, 1903.....			3,329.56

REFERENCE OF THE JOURNAL.

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

Mr. President:

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:

Transpose record on page 3 relating to 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, Which was read the first time, to its proper place on page 4.

Insert in its proper place on page 3 the following:

Mr. Crane introduced Senate Bill No. 83.

A bill for an act to amend section 7678 of the revised codes, being chapter 71 of the session laws of 1899 relating to game and fish, Which was read the first time.

At the bottom of page 7 add the following:

Mr. Robinson moved that the senate concur in the house resolution relating to a joint session on Feb. 4 for the purpose of hearing the representatives of the Louisiana Purchase exposition, which motion prevailed.

And when so ammended recommend that the same be approved.

MAYNARD CRANE,
Acting Chairman.

Mr. Crane 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. President:

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:

Strike out all of section 3 of the printed bill and insert in lieu thereof the following, viz.:

Section 3. Such board of trustees shall annually elect from among their number a president and a secretary, who shall hold office for two years and until their successors are chosen and qualified. Three of said trustees shall constitute a quorum and shall meet annually in the month of April and as often thereafter as may be deemed necessary for the proper transaction of business, upon the call of the president or secretary.

Strike out all of section 5 and insert in lieu thereof the following:

Sec. 5. Such board shall appoint a superintendent of said institution who shall be a physician skilled in caring for and in instructing the class of unfortunates to be provided for by this act. Such superintendent shall name all the subordinate officers and such nominations shall be confirmed or rejected by the board.

Sec. 7. In line 6 strike out the word "of" following the word "charge," and insert the word "of" in the same line following the word "institution." Strike out the last word in line 6, all of lines 7, 8, 9, 10, 11 and 12, and insert in lieu thereof the following, viz.: "Such board shall appoint a treasurer who may or may not be one of their number as they deem best, as provided in section 310 of the revised codes of 1899."

Sec. 8. Strike out all of line 18, following the word "shall" and all of line 19, and insert in lieu thereof the following, viz.: "Audit the same and charge it to the general fund of the county."

Sec. 11. In the first line following the word "November," strike out the words "of each year," and insert in lieu thereof the words "1904 and biennially thereafter."

In lines 7 and 8, strike out the words "a complete history of such," and insert the words "such matters as are of interest to the." In lines 8 and 9, strike out the words "and other officers of the institution." In line 9, strike out the word "detailed."

Sec. 12. In lines 3 and 4, strike out the words "five cents per mile for each mile necessarily traveled," and insert in lieu thereof "The actual and necessary expenses." Strike out the last word in line 4 and insert the word "such."

Strike out the last word in line 6 and the first word in line 7, and insert in lieu thereof the word "fifty."

And when so amended recommend the same do pass.

Also,

Mr. President:

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 be amended as follows:

In line 6 of the printed bill after the word "electors," insert the following words: "At the next general election."

And when so amended recommend the same do pass.

Also,

Mr. President:

Your committee on state affairs, to whom was referred

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 do pass.

Also,

Mr. President:

Your committee on state affairs, 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 do pass.

A. B. COX,
Chairman.

Mr. Cox moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. President:

Your committee on state affairs, to whom was referred

Senate Bill No. 11,

A bill for an act to prevent the extermination of deer.

Have had the same under consideration and recommend that the same do not pass.

Also,

Mr. President:

Your committee on state affairs, to whom was referred

Senate Bill No. 10,

A bill for an act making it unlawful to shoot or hunt on the lands of another without permission.

Have had the same under consideration and recommend that the same do not pass.

A. B. COX,
Chairman.

The committee on ways and means made the following report:

Mr. President:

Your committee on ways and means, 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 amending the title to read as follows: A bill for an act to amend and re-enact section 1209 of the revised codes of 1899 relating to the compensation of assessors. By amending section so as to read as follows:

Section 1. That section 1209 of the revised codes of 1899 be amended and re-enacted to read as follows:

Also by changing the word "district," as it appears in lines 15 and 16 of the printed bill, to "districts."

And when so amended recommended the same do pass.

J. B. SHARPE,
Chairman.

Mr. Sharpe 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. President:

Your committee on judiciary, to whom was referred

Senate Bill No. 34,

A bill for an act amending section 404, Revised Codes North Dakota, 1899, defining the boundaries and terms of court of the Second judicial district.

Have had the same under consideration and recommend that the same be amended as follows:

Lines Nos. 11 and 12 be made to read as follows:

"In Rolette county, commencing on the third Monday in February and the fourth Monday in June."

And when so amended recommend that the same do pass.

C. B. LITTLE,
Chairman.

Mr. Little moved

That the report be adopted.

Which motion prevailed, and

And the report of the committee was adopted.

Also,

Mr. President:

Your committee on judiciary, to whom was referred

Senate Bill No. 35,

A bill for an act establishing the Eighth judicial district and defining the boundaries thereof, and terms of court therein, and providing for the appointment and election of a judge therefor.

Have had the same under consideration and recommend that the same do pass.

Also,

Mr. President:

Your committee on judiciary, 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.

C. B. LITTLE,
Chairman.

The committee on education made the following report:

Mr. President:

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,

Mr. President:

Your committee on education, to whom was referred
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.

Have had the same under consideration and recommend that the same do pass.

Also,

Mr. President:

Your committee on education, to whom was referred
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 be amended as follows:

Amend the title by inserting after the word "amend," where it appears in the first line, the words "and re-enact."

Also in section 1, after the word "amended," where it appears in the first line, insert the words "and re-enacted,"

And when so amended recommend that the same do pass.

H. E. LAVAYEA,
Chairman.

Mr. Lavayea 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. President:

Your committee on engrossed bills, to whom was referred

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.

Also,

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.

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.

And find the same correctly engrossed.

H. E. LAVAYEA,
Chairman.

MOTIONS AND RESOLUTIONS.

Mr. Little moved

That the president assign two clerks, already elected and not otherwise employed, to assist in the office of the secretary of state in mailing bills and journals to the newspapers, as provided by the resolution adopted by the senate yesterday.

Which motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS.

Mr. LaMoure introduced

Senate Bill No. 90,

A bill for an act repealing sections 7460a and 7460b, of the Revised Codes of 1899.

Which was read the first time.

Mr. LaMoure introduced

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.

Which was read the first time.

Mr. Wipperman introduced

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.

Which was read the first time.

Mr. Lavayea introduced

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.

Which was read the first time.

Mr. Main introduced

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.

Which was read the first time.

Mr. Bacon introduced

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.

Which was read the first time.

Mr. Bacon introduced

Senate Bill No. 96,

A bill for an act to amend section 1 of chapter 143 of the session laws of 1901, relating to an act to define the senatorial and representative districts of North Dakota and prescribe the number of senators and representatives therein.

Which was read the first time.

Mr. Johnson introduced

Senate Bill No. 97,

A bill for an act making an appropriation for the promotion of immigration.

Which was read the first time.

Mr. Simpson introduced

Senate Bill No. 98,

A bill for an act to appropriate money to Patrick McGinley

for board and lodging furnished jurors in criminal cases arising in the unorganized county of Allred in the year A. D. 1897.

Which was read the first time.

Mr. Gulack introduced

Senate Bill No. 99,

A concurrent resolution proposing an amendment to section 217 of the constitution of the state of North Dakota.

Which was read the first time.

SECOND READING OF SENATE BILLS.

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 second time and

Referred to the committee on counties and county boundaries.

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 second time and

Referred to the committee on public health.

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 second time, 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 second time, 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 erection and equipment of necessary additional buildings and for City and Mayville.

Was read the second time, and

Referred to the committee on judiciary.

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 second time, and

Referred to the committee on state affairs.

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 second time, and

Referred to the committee on judiciary.

Senate Bill No. 85,

A bill for an act to amend section 3225a of chapter 19 $\frac{1}{2}$ 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 second time, and

Referred to the committee on cities and municipal corporations.

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 second time, and

Referred to the committee on state affairs.

Senate Bill No. 87,

A bill for an act to amend section 343a of the Revised Codes of 1899, relating to county treasurers' official bond.

Was read the second time, and

Referred to the committee on counties and county boundaries.

THIRD READING OF SENATE BILLS.

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 36, nays 1, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hagen	McLean
Brown	Hale	Plain
Carroll	Herbrandson	Regan
Cashel	Johnson	Robinson
Clarke	Kirkeide	Sharpe
Cox	LaMoure	Simpson
Crane	Lavayea	Swenson
Devlin	Lewis	Talcott
Fox	Little	Taylor
Garnett	Lofthus	Voss
Geer	Main	Williams
Gulack	McArthur	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Jacobson	Pierce

Mr. Macdonald voting in the negative.

Messrs. Benson, Jacobson and Pierce being excused.

So the bill passed and the title was agreed to.

Mr. Macdonald explained his vote on

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.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 28, 1903.

The following message was received from the House:

Mr. President:

I have the honor to transmit 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.

Which the house has passed, and your favorable consideration thereof is requested.

Respectfully,

A. O. ANDERSON,

Chief Clerk.

FIRST 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.

Which was read the first time.

The courtesies of the floor were extended to the following: H. E. Ferguson, E. F. Whipple and D. F. Seigfried of Sanborn, N. D.; Prof. E. E. Kaufman, Fargo, N. D.; John I. Roop, A. L. Geil, Emmons county, N. D., and Wm. Story, Buffalo, N. D.

Mr. Bacon moved

That the senate do now adjourn.

Which motion prevailed, and

The senate adjourned.

R. M. TUTTLE,

Secretary.

TWENTY-FOURTH DAY

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 29, 1903.

The senate met at 2 o'clock p. m. pursuant to adjournment.

The president presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Benson, Geer, Jacobson and Pierce, who were excused.

REFERENCE OF THE JOURNAL.

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

Mr. President:

Your committee on revision and correction of the journal of the 23d day have carefully examined the same and find the same correct.

MAYNARD CRANE,
Acting Chairman.

Mr. Crane 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 and engrossed bills made the following report:

Mr. President:

Your committee on enrolled and engrossed bills have examined 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. 35,

A bill for an act establishing the Eighth judicial district and defining the boundaries thereof, and terms of court therein, and providing for the appointment and election of a judge therefor.

Also,
Senate Bill No. 64,

A bill for an act to repeal chapter 83 of the session laws of 1901.

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.

Also,
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.

And find the same correctly engrossed.

H. E. LAVAYEA,
Chairman.

The committee on elections made the following report.

Mr. President:

Your committee on elections 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 be amended as follows:

Strike out all after the figures 481 on line 3 of printed bill and substitute the following:

Precincts. How Formed.) The board of county commissioners of each county in the state shall at its first session after the taking effect of this act divide its county into election precincts and establish the boundaries of the same, if it has not heretofore done so. And the said board of county commissioners whenever deemed necessary shall subdivide any precinct containing two or more congressional townships, providing that every precinct so established shall comprise at least one congressional township. The entirety of civil townships, cities or villages as voting precincts shall be preserved when possible, except when such preservation would conflict with the provisions of this section. In such case the civil township, city or village, except as hereinafter provided, shall be divided into two or more precincts, but in no case shall a precinct be composed of parts of two civil townships, or part of a township and city or village, excepting as hereinafter provided. Such board of commissioners shall designate one voting place in each precinct. No precinct shall contain more than three hundred electors. If at any

election hereafter held, more than three hundred votes shall be cast at any voting place, it shall be the duty of the inspector in such precinct to report such fact to the board of county commissioners, which board shall at its next regular meeting divide such precinct as nearly as possible, so that the new precincts formed therefrom shall each contain two hundred and fifty electors as nearly as practicable; provided, that nothing in this section shall be construed as prohibiting townships adjoining or having within their boundaries an incorporated city, town or village of less than fifteen hundred inhabitants, from holding their election and having their voting place within the corporate limits of such city, town or village; provided, further, that when the combined vote of any township and incorporated city, town or village, or the combined vote of any township and any portion of any incorporated city, town or village, within its boundaries or within the town lines or section lines which form the boundaries thereof, does not exceed 300, such township and incorporated city, town or village, may have but one voting place.

And when so amended recommend that the same do pass.

HENRY HALE,

Chairman.

Mr. Hale 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. President:

Your committee on judiciary 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 be amended as follows:

Beginning at the 11th line of Sec. 11. on page 1, of said bill be changed to read as follows:

"mission expires, and shall file an impression of said seal in the office of the secretary of state of North Dakota; and shall furnish a bond to this state by a surety company in the sum of five hundred (\$500) dollars, conditioned that he will faithfully perform the duties of his office, which bond shall be filed in the office of the secretary of state of North Dakota; and shall pay into the state treasury the sum of "ten" (\$10) dollars."

And when so amended recommend that the same do pass.

C. B. LITTLE,

Chairman.

Mr. Little moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on elections made the following report:

Mr. President:

Your committee on elections to whom was referred

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 be amended as follows:

Strike out all after the word "follows," on line 2 printed bill and insert the following: "Every male person of the age of twenty-one years or upwards, belonging to either of the following classes who shall have resided in the state one year and in the county six months, and in the precinct ninety days next preceding any election shall be a qualified elector at such election: First—Citizens of the United States. Second—Civilized persons of Indian descent who shall have severed their tribal relations two years next preceding such election; provided, he has complied with the provisions of any law which is now or may in the future be in force relating to the registration of voters, and all persons possessing the qualifications mentioned in this section and who have resided in this state one year shall be eligible to any office in this state, except as otherwise provided in the constitution; provided, however, that persons shall vote in the precinct where they reside and not elsewhere, except in case of voters otherwise qualified moving from one voting precinct to another within the same county, in which case they shall have a right to vote in the precinct from which they move until they have gained a residence in the precinct to which they move."

And when so amended recommend that the same do pass.

HENRY HALE,
Chairman.

Mr. Hale moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on enrolled and engrossed bills made the following report:

Mr. President:

Your committee on enrolled and engrossed bills have examined Senate Bill No. 11,

A bill for an act to prevent the extermination of deer.

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. 34,

A bill for an act amending section 404, Revised Codes North Dakota, 1899, defining the boundaries and terms of court of the Second judicial district.

And find the same correctly engrossed.

H. E. LAVAYEA,
Chairman.

FIRST READING OF SENATE BILLS.

Mr. Plain introduced

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.

Which was read the first time.

Mr. Devlin introduced

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.

Which was read the first time.

Mr. Lewis introduced

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.

Which was read the first time.

Mr. Lewis introduced

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 sub-station at or near Dickinson in Stark county.

Which was read the first time.

Mr. Lewis introduced

Senate Bill No. 104,

A bill for an act to amend sections 4791, 4792 and 4799 of the Revised Codes of 1899, relating to mechanics' liens.

Which was read the first time.

Mr. Johnson introduced

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 was read the first time.

Mr. Johnson introduced

Senate Bill No. 106,

A bill for an act for the creation of corporations for the purpose of establishing and maintaining creameries.

Which was read the first time.

Mr. Robinson introduced
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.

Which was read the first time.

Mr. Lavayea introduced
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.

Which was read the first time.

Mr. Lavayea introduced
Senate Bill No. 109,

A bill for an act legalizing the levy and assessment of taxes as made by the state, the various counties, cities, townships and school districts for the years 1890 to 1902 inclusive.

Which was read the first time.

Mr. Simpson introduced
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.

Which was read the first time.

Mr. Lewis introduced
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.

Which was read the first time.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

Mr. President:

I have the honor to transmit herewith:

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. 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. 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.

Which the house has passed and your favorable consideration thereon is requested.

A. O. ANDERSON,

Chief Clerk.

Mr. Robinson introduced the following resolution:

Whereas, It is necessary for the convenience of the members of the senate that pamphlets giving a list of the senators now on committees, also location of committee rooms, be printed; therefore, be it

Resolved, That pamphlets giving the committees as named by the president, also giving location of committee rooms, be printed at once and copies of the same furnished to each senator.

Mr. Robinson moved

That the resolution be adopted.

Which motion prevailed, and

The resolution was adopted.

Mr. Macdonald presented 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.

Mr. Macdonald moved
That the resolution be adopted.
Which motion prevailed, and
The resolution was adopted.

SECOND READING OF SENATE BILLS.

Senate Bill No. 75,

A bill for an act providing for a system of primary elections for nominating candidates for election by popular vote.

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

Senate Bill No. 76,

A bill for an act to prohibit the use and manufacture of cannon fire crackers.

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

THIRD READING OF SENATE BILLS.

Senate Bill No. 64,

A bill for an act to repeal chapter 83 of the session laws of 1901.

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 9, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Cox	Johnson	Robinson
Crane	LaMoure	Sharpe
Devlin	Lavayea	Simpson
Fox	Lewis	Talcott
Garnett	Lofthus	Taylor
Gulack	Macdonald	Williams
Hagen	McLean	Wipperman
Herbrandson	Regan	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Cashel	Kirkeide
Brown	Clarke	Little
Carroll	Hale	Main

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	McArthur	Swenson
Geer	Pierce	Voss
Jacobson	Plain	

Messrs. Benson, Geer, Jacobson and Pierce being excused.

So the bill passed and the title was agreed to.

Mr. Regan moved

That the vote by which Senate Bill No. 64 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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 32, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	Regan
Cashel	Johnson	Robinson
Clarke	Kirkeide	Sharpe
Cox	LaMoure	Simpson
Crane	Lavayea	Swenson
Devlin	Lofthus	Talcott
Fox	Macdonald	Taylor
Garnett	Main	Voss
Gulack	McArthur	Williams
Hagen	McLean	Wiperman
Hale	Plain	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Geer	Little
Brown	Jacobson	Pierce
Carroll	Lewis	

Messrs. Benson, Jacobson, Pieace and Geer being excused.

So the bill passed and the title was agreed to.

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 33, nays 2, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hagen	McLean
Brown	Hale	Plain
Carroll	Herbrandson.	Regan
Cashel	Johnson	Robinson
Clarke	Kirkeide	Sharpe
Cox	Lavayea	Simpson
Crane	Lewis	Swenson
Devlin	Lofthus	Talcott
Fox	Macdonald	Taylor
Garnett	Main	Williams
Gulack	McArthur	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Jacobson	Pierce
Geer	Little	

Messrs. LaMoure and Voss voting in the negative.

Messrs. Benson, Geer, Jacobson and Pierce being excused.

So the bill passed and the title was agreed to.

FIRST 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 first time.

SECOND 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 second time, and

Referred to the committee on judiciary.

The courtesies of the floor were extended to Mr. Stephen Cowley of Larimore, N. D.; also to Mr. W. J. Price of Fargo, N. D.

Mr. Cashel presented the following resolution:

Whereas, since the close of the Seventh Legislative Assembly of this young commonwealth, this nation has been called upon to mourn the loss of a noble citizen who first breathed the air of freedom sixty years ago to-day. Born of humble parents who were richly endowed with the pure charms of Christian virtue, fidelity, integrity and patriotism, which they abundantly transmitted to their offspring who grew under their frugal

means and fostering care from childhood to manhood inhaling the pure atmosphere of freedom, while with meager opportunities he cultivated a mind prolific with nature's endowment, until first he became a soldier for the preservation of his country, then step by step with that proverbial American push and energy, he reached the halls of congress, then filled the gubernatorial chair of a great commonwealth, and was finally elevated by seventy million people to the highest official position that can be occupied by man, president of this great and magnificent republic.

This man, who was so honored in life and revered and mourned in death, was the late lamented William McKinley.

He was fruitful in filial affection, a devoted husband, patriotic citizen and an ideal statesman, who wooed the dove of peace, but for the amelioration of the oppressed he courted war. It seems almost prophetic when poor Cuba, wearied by battle and declimated by want, appealed to humanity for protection, that this noble statesman should be the medium through which a benign Providence extended the boon of liberty to this oppressed people, for

"When freedom from her mountain height
Unfurled her standard to the air,
She tore the azure robes of night
And set the stars of glory there!"

And, Whereas, when we were enjoying the repose of peace and the boon of prosperity and participating in the exhibition of the great industries of this nation, as chief executive William McKinley visited that exposition on a mission of peace and good will towards all men and there issued his last manifesto, when by the hand of a foul assassin he was stricken down, and today the nation mourns his demise, but will perpetuate his memory in letters of gold emblazoned on the scroll of fame; therefore, be it

Resolved, That this senate do now adjourn out of respect to the memory of a pure and loyal citizen, a brave soldier and a sterling and patriotic statesman, being one of the presidents of this republic whose name will illumine the pages of history until time is no more.

Mr. Cashel moved
The adoption of the resolution.
Which motion prevailed, and
The senate adjourned.

R. M. TUTTLE,
Secretary.

TWENTY-FIFTH DAY

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 30, 1903.

The senate met at 2 o'clock p. m., pursuant to adjournment.

The president presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Benson, Geer, Pierce and Simpson, who were excused.

REFERENCE OF THE JOURNAL.

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

Mr. President:

Your committee on revision and correction of the journal of the twenty-fourth day have carefully examined the same and find no corrections to make.

MAYNARD CRANE,
Acting Chairman.

Mr. Crane moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

REPORTS OF STANDING COMMITTEES.

The committee on ways and means made the following report:

Mr. President:

Your committee on ways and means to whom was referred

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.

Have had the same under consideration and recommend that the same be amended as follows:

That the title of said bill be changed to read as follows:

"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."

That section 3 of the printed bill be amended by striking out the word 'thirty' and substituting the words 'twenty-five' in line 6 of said bill; that the words 'one hundred' in line 8 of said section be stricken out and the word "fifty" be substituted and that the words "seventy-five" be substituted.

And when so amended recommend that the same do pass.

J. B. SHARPE,
Chairman.

Mr. Sharpe moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on warehouse, grain and grain grading made the following report:

Mr. President:

Your committee on warehouse, grain and grain grading 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 be amended as follows:

After the word "ascertain" in line 10, page 3 of the printed bill, insert the word "assess."

And when so amended recommend that the same do pass.

F. S. TALCOTT,
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on warehouse, grain and grain grading made the following report:

Mr. President:

Your committee on warehouse, grain and grain grading to whom was referred

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.

Have had the same under consideration and recommend that the same do pass.

F. S. TALCOTT,
Chairman.

The committee on judiciary made the following report:

Mr. President:

Your committee on judiciary to whom was referred

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,

Mr. President:

Your committee on judiciary 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 do pass.

Also,

Mr. President:

Your committee on judiciary to whom was referred

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. B. LITTLE,
Chairman.

The committee on state affairs made the following report.

Mr. President:

Your committee on state affairs to whom was referred

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:

Line 13 and 14 of printed bill be stricken out and the following inserted in lieu thereof:

"Pursues, hunts, shoots or kills any wild duck between the 1st day of April and the 1st day of September following."

Also lines 15 and 16 of printed bill be stricken out and the following inserted:

"Pursues, hunts, shoots or kills any wild goose, crane or brant between the 1st day of April and the 1st day of September following."

And when so amended recommend that the same do pass.

A. B. COX,
Chairman.

Mr. Cox 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. President:

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 do pass.

A. B. COX,
Chairman.

The committee on insurance made the following report:

Mr. President:

Your committee on insurance to whom was referred

Senate Bill No. 25,

A bill for an act in relation to the defense of suicide in suits brought upon life insurance policies.

Have had the same under consideration, and recommend that the same be amended as follows:

On line 2 of the printed bill after the word "any" insert "regular or assessment insurance" and after the word "defense" on the same line insert "after the policy has been in force one year."

On line 3 of the printed bill after the word "suicide" strike out the balance of that line and all of line 4 and the first four words on line 5.

And when so amended recommend the same do pass.

J. A. REGAN,
Chairman.

Mr. Regan moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on enrolled and engrossed bills made the following report:

Mr. President:

Your committee on enrolled and engrossed bills have examined 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. 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.

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. 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. 10,

A bill for an act making it unlawful to shoot or hunt on the lands of another without permission.

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. 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. 61,

A bill for an act to amend section 481 of the Revised Codes of 1899, providing for the formation of election precincts.

And find the same correctly engrossed.

H. E. LAVAYEA.

Chairman.

INTRODUCTION AND FIRST READING OF SENATE BILLS.

Mr. Little introduced

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.

Which was read the first time.

Mr. Little introduced

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 was read the first time.

Mr. Regan introduced

Senate Bill No. 114,

A bill for an act to amend chapter 179 of the session laws of 1901.

Which was read the first time.

Mr. Taylor introduced

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 was read the first time.

Mr. Lavayea introduced

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 was read the first time.

MESSAGE FROM THE HOUSE.

The following message was received from the house:

HOUSE OF REPRESENTATIVES,

BISMARCK, NORTH DAKOTA,

January 30, 1903.

Mr. President:

I have the honor to return herewith

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 section 2, chapter 34, session laws of 1901, relating to the board of pardons and prescribing the powers and duties thereof.

Which the house has passed unchanged.

Also,

Mr. President:

I have the honor to transmit herewith

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.

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. 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. 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. 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. 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."

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. 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. 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 the house has passed and your favorable consideration thereof is requested.

A. O. ANDERSON,
Chief Clerk.

SECOND READING OF SENATE BILLS.

Senate Bill No. 48,

A bill for an act to provide for the protection of the health, lives and interests of the coal miners of North Dakota, and to

provide for the inspection of all coal mines in this state, and the conducting and operating of coal mines, and to create a state inspector of mines.

Was read the second time, and

Referred to the committee on mines and minerals.

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 second time, and

Referred to the committee on public health.

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 second time, and

Referred to the committee on highways and bridges.

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 second time, and

Referred to the committee on judiciary.

Senate Bill No. 90,

A bill for an act repealing sections 7460a and 7460b, of the Revised Codes of 1899.

Was read the second time, and

Referred to the committee on judiciary.

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 auditor and providing the times at which such duties shall be performed.

Was read the second time, and

Referred to the committee on ways and means.

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.

Was read the second time 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 second time and

Referred to the committee on state affairs.

Senate Bill No. 97,

A bill for an act making an appropriation for the promotion of immigration.

Was read the second time, and

Referred to the committee on appropriations.

Senate Bill No. 98,

A bill for an act to appropriate money to Patrick McGinley for board and lodging furnished jurors in criminal cases arising in the unorganized county of Allred in the year A. D. 1897.

Was read the second time, and

Referred to the committee on appropriations.

Mr. Taylor moved that all senate bills read this day the first time be given their second reading and referred.

Which motion prevailed.

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 second time, and

Referred to the committee on judiciary.

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 second time, and

Referred to the committee on judiciary.

Senate Bill No. 114,

A bill for an act to amend chapter 179 of the session laws of 1901.

Was read the second time, and

Referred to the committee on railroads.

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 second time 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 second time and

Referred to the committee on judiciary.

THIRD 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 third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 36, nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	McArthur
Brown	Herbrandson	McLean
Carroll	Jacobson	Plain
Cashel	Johnson	Regan
Clarke	Kirkeide	Robinson
Cox	LaMoure	Sharpe
Crane	Lavayea	Swenson
Devlin	Lewis	Talcott
Fox	Little	Taylor
Garnett	Lofthus	Voss
Gulack	Macdonald	Williams
Hagen	Main	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Pierce	Simpson
Geer		

Messrs. Benson, Geer, Pierce and Simpson being excused.

So the bill passed and the title was agreed to.

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 third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 36, nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	McArthur
Brown	Herbrandson	McLean
Carroll	Jacobson	Plain

Messrs.—

Cashel
Clarke
Cox
Crane
Devlin
Fox
Garnett
Gulack
Hagen

Messrs.—

Johnson
Kirkeide
LaMoure
Lavayea
Lewis
Little
Lofthus
Macdonald
Main

Messrs.—

Regan
Robinson
Sharpe
Swenson
Talcott
Taylor
Voss
Williams
Wipperman

Absent and not voting:

Messrs.—

Benson
Geer

Messrs.—

Pierce

Messrs.—

Simpson

Messrs. Benson, Geer, Pierce and Simpson being excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the house:

HOUSE OF REPRESENTATIVES,
BISMARCK NORTH DAKOTA,
January 30, 1903.

Mr. President:

I have the honor to inform the senate that the house has passed a concurrent resolution providing that when the legislative assembly adjourn today it shall stand adjourned until Tuesday, February 3, 1903, at 3 o'clock p. m.

And your concurrence therein is requested.

A. O. ANDERSON,
Chief Clerk.

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.

Mr. Little moved

That the senate concur in the above resolution.

Which motion prevailed.

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 third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 36, nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	McArthur
Brown	Herbrandson	McLean
Carroll	Jacobson	Plain
Cashel	Johnson	Regan
Clarke	Kirkeide	Robinson
Cox	LaMoure	Sharpe
Crane	Lavayea	Swenson
Devlin	Lewis	Talcott
Fox	Little	Taylor
Garnett	Lofthus	Voss
Gulack	Macdonald	Williams
Hagen	Main	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Pierce	Simpson
Geer		

Messrs. Benson, Geer, Pierce and Simpson being excused.

So the bill passed and the title was agreed to.

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 36, nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	McArthur
Brown	Herbrandson	McLean
Carroll	Jacobson	Plain
Cashel	Johnson	Regan
Clarke	Kirkeide	Robinson
Cox	LaMoure	Sharpe
Crane	Lavayea	Swenson
Devlin	Lewis	Talcott
Fox	Little	Taylor
Garnett	Lofthus	Voss
Gulack	Macdonald	Williams
Hagen	Main	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Geer	Pierce
Simpson		

Messrs. Benson, Simpson, Geer and Pierce being excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 30, 1903.

To the Senate:

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.

REPORT OF PAN-AMERICAN EXPOSITION COMMISSION.

By legislative enactment, approved March 9, 1901, an appropriation of \$10,000 was made for the purpose of collecting, arranging and displaying the products and resources of the state at the Pan-American Exposition at Buffalo, and for the creation of a commission to execute these purposes, consisting of the governor, lieutenant governor and commissioner of agriculture and labor.

The commission met on the tenth day of March, 1901, and organized by the election of Governor White as president, Commissioner Turner as secretary, Lieutenant Governor Bartlett as manager and W. F. Cushing as assistant manager. Steps were at once taken towards gathering proper exhibits for the purpose above named. Inasmuch as the exposition opened May 1, 1901, and no previous steps had been taken to secure exhibits, your commission found it a very difficult task to secure products worthy of the state, and had it not been for the kindness of Hon. Ed Pierce of Sheldon in loaning the state his very fine collection of grains and grasses, and the agricultural college its agricultural exhibits, the commission would have gone to Buffalo practically empty handed.

The state was so late in announcing its participation in the exposition that it was only possible for your commission to secure a space in the agricultural building 22x22 feet square; six feet square in the Mines building and a small space in the dairy building. No space could be secured in the educational department and the excellent work of our public schools could not be shown. Notwithstanding the smallness of our agricultural display, the state was awarded a gold medal for collective exhibit of such products.

During the last four months of the exposition forty thousand copies of a booklet entitled, "Glimpses of North Dakota" were distributed, this being the finest booklet given away at the exposition.

When the grains, grasses and vegetables of the 1901 crop ar-

rived at the booth, it was conceded by all exhibitors that North Dakota led in the display of these products. The state made 93 entries of vegetables, and received 93 first premiums, a record unparalleled in the history of expositions. The state stood next to New York in having the greatest number of medals awarded for agricultural products, receiving four gold, nine silver and ten bronze medals. There were also 104 honorable mentions. When it is considered that these exhibits were made in a space entirely inadequate for their effective display, the extreme merits of the products can be appreciated.

Last winter when it was supposed the exposition would be held this year, and in view of the difficulties experienced by the Pan-American commission in securing suitable exhibits after the appropriation was made, and foreseeing the same difficulties in store for any commission that might be appointed for the world's fair, we decided that public opinion would uphold us in using part of the balance left from the Pan-American appropriation, as shown below, in making such limited preparations for St. Louis as the money would admit. In accordance with this decision the work of organizing county committees was pushed and interest in the exhibit aroused throughout the state, which work was ably forwarded by the visit to and presence in the state for a week of Mr. Reeves, one of the exposition secretaries. Upon the postponement of the exposition to next year this work was largely held in abeyance pending the probable appointment of a world's fair commission and an appropriation for carrying on the work.

The groundwork for gathering the exhibits, should the state decide to be represented at St. Louis, has been laid, and the work from now on can be readily carried on by any commission that may be appointed, but the details will necessitate **experience, close and constant work and attention, and a large expenditure of money** if the state is to be placed in her best light before the world.

Following is the detailed list of expenditures:

War't No.	Date	To Whom Issued	Amount
38636	April 1, 1901	A. G. Patterson, P. M., postage.....	\$ 16.20
38640	April 1, 1901	S. H. Scott, agent, express.....	.38
38645	April 1, 1901	Walter F. Cushing, salary.....	100.00
38646	April 1, 1901	Wulter F. Cushing, traveling ex- penses.....	54.95
38653	April 1, 1901	Western Union Telegraph Co. ....	.99
38745	April 11, 1901	Walter F. Cushing, salary.....	122.30
38768	April 11, 1901	Field, Schlick & Co., cards.....	6.35
38769	April 11, 1901	G. C. Wachter, drayage.....	1.34
38770	April 11, 1901	Frank White, traveling expenses....	15.00
38803	April 24, 1901	Walter F. Cushing, traveling ex- penses.....	25.00

REPORT PAN-AMERICAN EXPOSITION COMMISSION--Continued.

War'nt No.	Date	To Whom Issued	Amount
38806	April 24, 1901	William Jager, drayage.....	\$ 14.62
38807	April 24, 1901	Walter F. Cushing, traveling expenses.....	13.46
38808	April 24, 1901	O. J. Osborne, photos.....	2.20
38814	April 30, 1901	R. J. Turner	2,000.00
38815	30	R. J. Turner	250.00
38816	30,	W. F. Cushing, salary	100.00
38855	30,	A. G. Patterson, P. M., stamps....	6.00
38859	1,	W. U. Tel. Co.	3.84
38862	1,	N. P. Express Co.	3.01
38880	1,	J. J. Freeman, photos	8.00
38881	1,	Field, Schlick & Co., cards.....	6.35
38898	2,	Webb Bros., cloth	2.40
38961	3,	G. I. Young & Co., paper	3.00
38962	3,	R. J. Turner, expenses	25.00
38963	3,	R. J. Turner, expenses	1.31
38964	3,	John Maassen, painting	6.00
38965	3,	Lamb Lumber Co., lumber.....	22.80
39012	9,	Edward Dodd, taxidermy	6.75
39013	9,	Wm. H. Jager, drayage	5.50
39044	29,	Western Union Tel. Co.....	2.86
39053	29,	N. P. Express Co.	5.23
39115	29,	Lloyd Ryall, photos	3.00
39116	29,	Bismarck Tribune Co., printing..	103.10
39117	29,	M. J. Moran, Tyler No. 255, boxing elk	15.30
39118	29,	Gilbert & Westerman, photos	6.00
39119	29,	R. J. Turner	15.00
39120	29,	F. J. Hibbard, statistics	5.00
39121	29,	Grambs Bros., hardware.....	2.40
39122	29,	W. F. Cushing, expenses	29.20
39230	June 26,	R. J. Turner	2,500.00
39307	28,	Capital Book Store, tags .....	.30
39431	28,	W. U. Tel. Co.	2.32
39771	Sept 4,	N. P. Express Co.	14.30
39774	4,	W. U. Tel. Co.	1.30
39796	10,	David Bartlett	2,000.00
39797	10,	R. J. Turner	117.00
39897	Oct. 1,	N. P. Express Co.	29.51
39914	1,	W. U. Tel. Co.	2.01
39967	25,	D. H. McMillan, acct. R. J. Turner	500.00
40017	Nov. 8,	N. P. Express Co.	80.37
40080	25,	Buffalo Electrotpe Co., cuts....	250.00
40081	25,	Edward Braddock, exhibits.....	8.50
40082	25,	J. C. Ritchey, drayage.....	.50
40083	25,	Bismarck Tribune Co., printing...	11.75
40084	25,	George Huber, exhibits	9.60
40434	Jan. 7, 1902	S. H. Scott, express	5.30
40439	8,	W. U. Tel. Co.	1.17
40555	21,	David Bartlett, salary	200.00
40556	21,	R. J. Turner, expenses	102.00
40557	21,	E. C. Carruth, use typewriter	20.00
40558	21,	W. F. Cushing, salary	200.00
40559	21,	J. C. Ritchey, dray	2.00

REPORT PAN-AMERICAN EXPOSITION COMMISSION--Continued.

War'nt No.	Date	To Whom Issued	Amount
40560	21,	W. U. Tel. Co.	\$ 1.83
40561	21,	Buffalo Electrotype Co., cuts.....	29.00
50562	21,	Fargo Forum, advertising	16.50
50563	21,	The Herald, advertising	13.00
50564	21,	M. L. Ayers	2.75
50565	21,	Franklin Potter, advertising	2.00
50566	Mrch 5,	Bismarck Tribune Co., advertising	4.00
40760	7,	W. F. Cushing, trip Lidgerwood.etc	43.65
40838	7,	Mayville Tribune, advertising	2.25
40839	7,	Gazette News, advertising	3.60
40911	8,	W. F. Cushing, trip New Salem..	25.00
40912	31,	W. F. Cushing, car fare	5.10
40910	April 3,	W. F. Cushing, per diem	25.00
40911	May 3,	W. F. Cushing, car fare	5.10
50160	3,	Pioneer Press, advertising	1.50
50161		Buffalo Express, advertising	2.00
50162	3,	A. M. Gores, advertising	1.25
50163	3,	The Optimist, advertising	1.50
50164	3,	David Bartlett	20.00
50165	3,	R. J. Turner, expenses	22.35
50166	3,	Bismarck Tribune, printing	31.00
50167	3,	Statidenta, advertising	1.90
50158	3,	E. M. Crary, advertising	2.50
50159	3,	C. J. Maddux, advertising	2.20
50160	3,	Lakota Herald, advertising	1.70
50161	3,	Wheatland Eagle, advertising	2.50
50162	7,	St. Thomas Times, advertising..	2.10
50291	June 4,	W. U. Telegraph .....	.27
50521	4,	Banner Publishing Co., adv.	2.00
50522	10,	Eddy County Provost, adv.	2.00
50564	11,	W. F. Cushing, exp. trip north...	45.00
50580	11,	Gorman Mfg. Co., medals	69.00
50581	11,	W. J. Hoskins, advertising	1.00
50582	11,	Buford Tribune, advertising	1.00
50583	11,	Folklets Avis, advertising	1.00
50584	11,	The Herald, advertising	3.75
50585	11,	Fingal Herald, advertising	1.00
50586	11,	Foster County Independent, adv..	2.10
50587	11,	Oberon Reporter, advertising	1.90
50588	11,	Observer Pub. Co., advertising ...	3.45
50589	11,	Larimore Pioneer, advertising ..	1.25
50590	11,	Nelson County Independent, adv.	2.10
50591	11,	The Free Press, advertising	1.30
50592	11,	Mayville Tribune, advertising	2.30
50594	11,	The Herald, advertising	1.50
50595	11,	Bottineau News, advertising	1.50
50664	30,	Crystal Call advertising	1.00
	July 7,	W. F. Cushing, exp. to Wahpeton	6.75
	9,	W. F. Cushing, telegrams	1.24
	Aug. 5,	W. F. Cushing, telegram	1.68
	Aug. 25,	W. F. Cushing mileage and exp. Reeves trip	55.00
	Sept 2,	S. H. Scott, express and freight..	44.82
	Oct. 3,	S. H. Scott, express and freight..	4.91

REPORT PAN-AMERICAN EXPOSITION COMMISSION—Continued.

War'nt No.	Date	To Whom Issued	Amount
	Nov. 7,	Hare & French, supplies	\$ 7.65
		Noyes Bros. & Cutler, glass jars..	53.60
		Jamestown Alert, advertising	8.00
	Nov. 11,	Valley City Record, advertising.	5.15
	11,	Carrington Record, advertising...	2.20
	Oct. 17,	Webb Bros. fram. diplomas & map	16.40
	Dec. 3,	S. H. Scott, express .....	.50
	12,	Geo. Crawford, drayage	4.98
	Jan. 1,	Webb Bros., cloth for cases	2.00
	2,	Lamb Lumber Co., lumber	31.87
		Total	\$ 9,758.82
		Balance of fund	241.18

After paying all Pan-American expenses there was a balance of \$1,327.69 unexpended; \$1,086.51 of this balance has been expended towards preparation for the St. Louis World's Fair.

Warrant No. 38814, April 30, 1901, for \$2,000, and No. 39230, June 26, 1901, for \$2,500, and No. 39967, October 25, 1901, for \$500, all to R. J. Turner, and warrant No. 39796, September 10, 1901, for \$2,000 to David Bartlett, represent cash drawn for expenses at Buffalo, and the report of Manager Bartlett with an itemized statement attached, showing how the said sums were expended, made to the president of the Pan-American board is hereto attached and made a part of our report:

Warrant No. 38815, April 30, for \$250, to Commissioner Turner, was paid to W. F. Cushing, and expended by him as follows:

April 30, 1901.	Exchange on Bartlett draft	\$ 2.50
April 30, 1901.	Advance freight on exhibits to Buffalo....	35.35
May 1, 1901.	Paid freight and exp. on exhibits to Valley City	66.15
May 2, 1901.	Drayage on exhibits to Soo depot.....	4.00
May 3, 1901.	Livery, hotel, telephne, telegraph and car fare	20.10
May 5, 1901.	Car fare, sleeper and meals to Buffalo	42.90
May 30, 1901.	Board and lodging at Buffalo	50.00
May 30, 1901.	Account Cushing salary	29.00
		\$ 250.00

This commission tried to conduct the business of the board with the same careful accuracy that we would exercise in our

private business. We are strongly of the opinion that the state never made a more profitable investment than in being represented at the Pan-American exposition.

Respectfully submitted,

FRANK WHITE,

Governor.

DAVID BARTLETT,

Lieutenant Governor.

R. J. TURNER,

Commissioner of Agriculture.

Members of Commission.

REPORT OF MANAGER.

Bismarck, N. D., Feb. 27, 1902.

Governor Frank White, President Pan-American Commission for North Dakota:

Sir: I submit herewith an itemized statement of receipts and expenditures as manager of North Dakota exhibit at the Pan-American Exposition at Buffalo, N. Y., 1901.

Respectfully submitted,

DAVID BARTLETT.

ITEMIZED STATEMENT OF MONEY RECEIVED AS MANAGER OF NORTH DAKOTA EXHIBIT AT BUFFALO.

Cash received from state	\$	7,000.00
Cash received for butter		60.36
Cash received for Register		10.00
Cash received from B., W. & G. F. Ry. Co.		50.00
Cash received as interest on deposit		9.16
		<hr/>
Total cash received	\$	7,129.52
Total cash paid out		6,942.33
		<hr/>
Cash refunded to state	\$	187.19

ITEMIZED STATEMENT OF MONEY PAID OUT ACCOUNT PAN-AMERICAN EXPOSITION, BUFFALO, N. Y., 1901:

April 4—Four telegrams	\$	1.04
April 4—Chair car Fargo to Bismarck		1.00
April 12—Sleeper Bismarck to Fargo		2.00
April 12—Telegrams 77c, sleeper Fargo to Mpls. \$2.25....		3.02
April 17—Railroad fare and sleeper, Minneapolis to Buffalo		24.15
April 20—Stamps \$1.00, revenue stamps 50c		1.50
May 9—Stamps 50c, admission to grounds 50c, telegram 76c		1.76
May 18—Express \$2.95, hardware \$3.70, club fees \$2.00..		8.65
May 23—Burlap \$5.50, stamps \$1.50, express \$1.05.....		8.05
May 25—Burlap		3.12
May 27—W. F. Cushing \$50.00, C. B. Walden \$50.00.....		100.00
May 30—Labor 25c, twine 25c, flags \$9.46, express \$3.90..		13.80
May 31—Crawford & Newby, painter		50.00

PAID OUT ACCOUNT PAN-AMERICAN EXPOSITION--Continued

June 4—Tacks and duster 80c, knife \$1.50	\$	2.30
June 4—M. T. Cole, furniture		26.35
June 4—Buffalo Mirror & Bev. Co.		10.10
June 5—Leo Barrett, architect and builder		300.00
June 5—A. B. Harding drawing, etc.		11.50
June 7—W. F. Cushing, salary		50.00
June 7—W. F. Cushing, sundries		8.26
June 8—Janitor \$1.50, ink and basket 20c		1.70
June 10—Exhibitors Club. (three members)		7.50
June 11—Draying 75c, express \$2.75, basket 40c		3.90
June 13—C. B. Waldron, expense		116.03
June 14—H. Taylor, carpenter		10.00
June 15—C. W. Miller, freight & cartage \$3.98, janitor \$1.50		5.48
June 17—W. F. Cushing, salary		50.00
June 17—Express \$1.35, labor \$2.00		3.35
June 18—C. B. Waldron, sundries		17.90
June 19—Telegrams \$1.96, C. B. Waldron \$5.40		7.36
June 22—Janitor \$1.00, express \$1.35, postage \$2.00		4.35
June 22—Wm. West \$1.50, H. Mains (carpenter) \$2.50		4.00
June 22—W. F. Cushing		20.00
June 24—Broom 25c, tacks 5c, printing \$4.50		4.80
June 25—Leo Barrett (architect and builder)		120.00
June 28—W. F. Cushing (expense)		3.91
June 29—Janitor		1.50
July 1—W. F. Cushing		130.00
July 2—Express \$1.65, water jar \$1.40, programs \$2		5.05
July 16—W. F. Cushing (expense)		5.80
July 17—Exposition Casting company		46.35
July 17—W. F. Cushing (cash paid carpenter)		6.00
July 17—R. J. Turner		25.00
July 17—J. A. Garrington		10.00
July 17—C. E. Harding (storage)		5.94
July 19—Janitor \$1.00, postage \$3.00		4.00
July 22—American Exposition company		2.95
July 22—I. Falkener (janitor)		4.50
July 22—W. F. Cushing		60.00
July 22—Exposition Cart company		1.40
July 23 and 27—R. J. Turner		100.00
July 29—I. Falkener (janitor)		1.50
July 31—W. F. Cushing (expense)		4.20
August 1—W. F. Cushing (salary)		90.00
August 1—Dumer, Wilson & Co. (ice)		2.43
August 5—Advertising \$15.00, R. R. fare Buffalo to Minne- sota		39.60
August 6—I. Faulkener (janitor)		1.50
August 8—Crawford & Newby (painters)		7.00
August 8—Sleeper, Buffalo to Minnesota		6.50
August 8—W. F. Cushing (salary)		10.00
August 10—I. Faulkener (janitor)		6.00
August 15—W. F. Cushing \$50.00, \$2.50		52.50
August 27—W. F. Cushing, \$50.00, \$38.70		88.70
August 27—Louise Winterer (stenographer)		50.00
August 27—Hotel Valley City 75c, R. R. fare to Fargo \$2.05		2.80
August 27—Livery \$3.50, supper on train \$1.00		4.50
August 27—Hotel Fargo \$2.00, pictures \$1.00		3.00
September 11—Sleeper, Fargo to Minneapolis		2.25

PAID OUT ACCOUNT PAN-AMERICAN EXPOSITION—Continued.

September 12—Hotel, Minnesota	\$	2.00
September 12—R. R. fare and sleeper, Minneapolis to Buffalo		31.50
September 16—E. J. Babcock		89.55
September 16—Exposition Cart company		51.21
September 16—Electric lights		16.50
September 16—Janitor		3.00
September 16—W. F. Cushing (sundries)		56.15
September 16—Express \$1.15, postage \$3.00		4.15
September 17—Louise Winterer (stenographer)		166.30
September 18—Express		3.25
September 18—Buffalo Courier		200.00
September 21—Gies & Co.	1,500.00	
September 20—Express \$1.15, \$9.85		11.00
September 23—American Exposition company		11.00
September 24—C. B. Waldron, grain exhibit		30.00
September 26—Telegrams \$2.35, cards, \$1.75, printing, \$10.00		14.10
September 27—N. D. butter remittances		60.36
September 30—Cigars \$10.50, express \$2.50, draying 50c ...		13.50
September 30—Janitor		3.00
September 30—W. F. Cushing (sundries)		4.80
September 30—W. F. Cushing (salary)		100.00
October 1—Postage \$2.00, telegrams \$1.35, American Express company \$5.00		8.35
October 2—Telegram 75c, express \$6.85, labor 50c		8.10
October 2—W. F. Cushing (salary)		50.00
October 3—Barton Express		5.35
October 3—Dumer, Wilson & Co. (ice)		4.25
October 4—American Express company		12.35
October 4—Express \$4.35, \$11.78, \$9.60		25.73
October 5—Pan American Exposition company (lights) ...		11.66
October 8—Telegram 75c, labor 25c, cloth \$1.20		2.20
October 10—Express 45c, cards 50c, gas stove \$2.05		3.00
October 10—Bessie F. Waggoner (stenographer)		91.10
October 10—Exposition Carting company		4.50
October 11—Express		2.85
October 14—Express \$1.35, telegram 75c		2.10
October 12—W. F. Cushing		40.00
October 13—Gill & Co.	1,013.61	
October 15—G. W. King Express company, Washington, D. C.		22.39
October 16—Cloth 42c, express \$3.25, door \$1.25		4.92
October 17—Postage \$2.25, express \$1.85, cigars \$7.50		11.60
October 21—Janitor		4.50
October 21—Buffalo Electric & Eng. Co.		4.50
October 23—R. J. Turner		25.00
October 23—Ex. Com., dues \$5.00, telegram \$1.60		6.60
October 25—Buffalo Natural Gas company		16.00
October 26—Gas 44c, telegram 75c, cigars \$3.50		4.69
October 28—R. J. Turner		25.00
October 28—W. F. Cushing (sundries)		10.60
October 28—Dumer, Wilson & Co. (ice)		4.00
October 29—Twine and tags 20c, crates \$1.00		1.20
November 1—Janitor		3.00
November 1—Canvas \$5.00, barrels and dray \$3.68		3.63
November 5—R. J. Turner (sundries)		8.68

PAID OUT ACCOUNT PAN-AMERICAN EXPOSITION—Continued.

November 5—R. J. Turner	\$	10.50
November 7—Draying and storage		14.50
November 7—Louise Winterer (stenographer)		38.50
November 8—Draying \$12.25, P. P. Ft. Pickin \$4.90		17.15
November 8—Prepaid freight on Pierce cases		34.57
November 8—W. F. Cushing (15 days)		75.00
November 8—W. F. Cushing (R. R. fare)		31.95
November 8—R. J. Turner		19.50
November 8—Draying		1.50
November 9—R. R. fare and sleeper, Buffalo to Detroit, \$10.50, Detroit to Minneapolis \$19.50		30.00
November 9—Sleeper, Detroit to Fargo, \$7.50, Minneapolis to Cooperstown \$12.10		19.60
November 9—Street car fare, Buffalo (7 months)		16.50
November 23—W. F. Cushing \$19.40, Gas company 23c, freight \$21.94		41.57
November 23—E. J. Babcock \$90.90, old bill \$5.00, C. A. Lounsberry \$4.50, freight \$1.16		101.56
Exchange on drafts		3.75
Salary, 194 days at \$5.00 per day		970.00
Total	\$	6,942.33

Also,

EXECUTIVE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 30, 1903.

To the Senate:

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 Bismarck, January 29, 1903.

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 35, nays none, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	McLean
Brown	Jacobson	Plain
Cashel	Johnson	Regan
Clarke	Kirkeide	Robinson
Cox	LaMoure	Sharpe
Crane	Lavayea	Swenson
Devlin	Lewis	Talcott
Fox	Little	Taylor
Garnett	Lofthus	Voss
Gulack	Macdonald	Williams
Hagen	Main	Wipperman
Hale	McArthur	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Geer	Simpson
Carroll	Pierce	

Messrs. Benson, Geer, Pierce and Simpson being excused.

So the bill passed and the title was agreed to.

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 35, nays none, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	McLean
Brown	Jacobson	Plain
Cashel	Johnson	Regan
Clarke	Kirkeide	Robinson
Cox	LaMoure	Sharpe
Crane	Lavayea	Swenson
Devlin	Lewis	Talcott
Fox	Little	Taylor
Garnett	Lofthus	Voss
Gulack	Macdonald	Williams
Hagen	Main	Wipperman
Hale	McArthur	

Absent and not voting:

Messrs.—
Benson
Carroll

Messrs.—
Geer
Pierce

Messrs.—
Simpson

Messrs. Benson, Geer, Pierce and Simpson being excused.

So the bill passed and the title was agreed to.

Mr. Talcott moved

That the senate do now adjourn,

Which motion prevailed, and

The senate adjourned.

R. M. TUTTLE,

Secretary.

TWENTY-NINTH DAY

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 3, 1903.

The senate met at 3 o'clock p. m. pursuant to adjournment.

The president presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Bacon, Benson, Garnett, Gulack, Johnson, Lavayea, Lofthus, Macdonald, Pierce, Plain, Regan, Robinson and Wipperman who were excused.

REPORT OF STANDING COMMITTEE.

The committee on enrolled and engrossed bills made the following report:

Mr. President:

Your committee on enrolled and engrossed bills have examined 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.

And find the same correctly enrolled.

HENRY HALE,
Acting Chairman.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 3, 1903.

Mr. President:

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 house has passed unchanged.

A. O. ANDERSON,
Chief Clerk.

REPORT OF STANDING COMMITTEE.

The committee on enrolled and engrossed bills made the following report:

Mr. President:

Your committee on enrolled and engrossed bills have examined 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.

And find the same correctly enrolled.

HENRY HALE,
Acting Chairman.

REFERENCE OF THE JOURNAL.

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

Mr. President:

Your committee on revision and correction of the journal of the 25th day have carefully examined the same and recommend that the same be corrected as follows:

In report of committee on Senate Bill 12 on page 3 strike out of the last two lines of their report the following, "seventy-five be substituted," and insert in lieu thereof the following, "'one hundred fifty' in line 10 of said section be stricken out and the words 'seventy-five' be substituted."

Also on page 20 strike out the line reading "September 16, E. J. Babcock, \$89.55."

And when so amended recommend that the same be approved.

MAYNARD CRANE,
Acting Chairman.

Mr. Crane moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

MOTIONS AND RESOLUTIONS.

Mr. Little moved

That a committee of three be appointed to wait upon Gen. O. O. Howard and invite him to the floor of the senate.

Which motion prevailed, and

The president appointed as such committee Messrs. Little, Talcott and Cashel.

The courtesies of the floor were extended to the following: Thos. Fox, R. S. Adams, Dr. D. L. Moore, Hon. Geo. Lutz, Hon. John Milstad and John Thompson.

The secretary announced that the president was about to sign
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.

And the president signed the same in the presence of the senate.

The secretary announced that the president 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.

And the president signed the same in the presence of the senate.

The president announced that the senate now take a recess of fifteen minutes so that the members may have an opportunity of meeting Gen. O. O. Howard.

The senate reconvened.

FIRST READING OF SENATE BILLS.

Mr. Simpson introduced

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.

Which was read the first time.

Mr. Brown introduced

Senate Bill No. 118,

A bill for an act establishing the state fair, locating it at Fargo, and making appropriations therefor.

Which was read the first time.

SECOND READING OF SENATE BILLS.

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 second time, 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 second time and

Referred to the committee on judiciary.

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 second time and

Referred to the committee on agriculture.

Senate Bill No. 96,

A bill for an act to amend section 1 of chapter 143 of the session laws of 1901, relating to an act to define the senatorial and representative districts of North Dakota and prescribe the number of senators and representatives therein.

Was read the second time and

Referred to the committee on apportionment.

Senate Bill No. 99,

A concurrent resolution proposing an amendment to section 217 of the constitution of the state of North Dakota.

Was read the second time and

Referred to the committee on temperance.

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 second time and

Referred to the committee on municipal corporations.

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 second time and
Referred to the committee on municipal corporations.

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 second time and
Referred to the committee on judiciary.

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 sub-station at or near Dickinson in Stark county.

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

Senate Bill No. 104,

A bill for an act to amend sections 4791, 4792 and 4799 of the Revised Codes of 1899, relating to mechanics' liens.

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

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 second time and
Referred to the committee on judiciary.

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 second time 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 second time, 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 second time and

Referred to the committee on ways and means.

Senate Bill No. 109,

A bill for an act legalizing the levy and assessment of taxes as made by the state, the various counties, cities, townships and school districts for the years 1890 to 1902 inclusive.

Was read the second time and

Referred to the committee on ways and means.

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 second time and

Referred to the committee on appropriations.

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 second time, and

Referred to the committee on state affairs.

The president announced that

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 recalled from committee on appropriations and referred to the judiciary committee

Mr. Little moved

That the senate do now adjourn,

Which motion prevailed, and

The senate adjourned.

R. M. TUTTLE,

Secretary.

THIRTIETH DAY

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 4, 1903.

The senate met at 2 o'clock p. m. pursuant to adjournment.

The president presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Benson, Gulack, Lavayea, Pierce and Wipperman who were excused.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Cavalier, N. D., February 2, 1903.

To the Senate, 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.

REFERENCE OF THE JOURNAL.

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

Mr. President:

Your committee on revision and correction of the journal of the twenty-ninth day, have carefully examined the same and find no corrections to report.

MAYNARD CRANE,
Acting Chairman.

REPORTS OF STANDING COMMITTEES.

The committee on judiciary made the following report:

Mr. President:

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 be amended as follows:

That the words "Dollars" be inserted after the words "twenty thousand" in line 5 of the printed bill.

That the word "Dollars" be inserted after the words "one thousand" in line 1, of section 2 of the printed bill.

And when so amended recommend that the same do pass.

Mr. Little moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Mr. President:

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 other necessary improvements for the normal school at Valley City and Mayville.

Have had the same under consideration, and recommend that the same be amended as follows:

That the words "Board of Directors," be changed to read "Board of Trustees" in the title of the said bill, and the words "Board of Directors" be changed to "Board of Trustees" wherever the same is used in the said bill.

And when so amended recommend that the same do pass.

Mr. Little moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. President:

Your committee on judiciary to whom was referred

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.

Also,

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 do pass.

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.

Have had the same under consideration and recommend that the same do pass.

Also,

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.

Have had the same under consideration, and recommend that the same be amended as follows:

That after the word "caused" in line 8 of the printed bill the same be amended to read as follows:

"But every such action shall be commenced within two years after the death of such person."

And when so amended recommend that the same do pass.

Mr. Little moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. President:

Your committee on judiciary to whom was referred

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 be amended as follows:

That the word "of" be inserted instead of the word "in" before the word "inquest" in line 8 of section 1 of the original bill.

That the word "other" before the word "like" be stricken out in line 16 of section 1 of the original bill.

And when so amended recommend that the same do pass.

Mr. Little moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. President:

Your committee on judiciary to whom was referred

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,

Mr. President:

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 be amended as follows:

That the title be amended by inserting after the last word thereof, "and for the purpose of extending the grounds and improving the buildings at the executive mansion."

After the words "date of issue," insert, "or the said bonds, or any of them may be paid off at periods of five years from the date of issue." On page 3, line 5, after the word "Bismarck," insert, "and for the extension of the grounds and improvement of the buildings of the executive mansion," as per printed bill.

And when so amended recommend that the same do pass.

C. B. LITTLE,
Chairman.

Mr. Little moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on enrolled and engrossed bills made the following report:

Mr. President:

Your committee on enrolled and engrossed bills have examined 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. 25,

A bill for an act in relation to the defense of suicides in suits brought upon life insurance policies.

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.

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. 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. 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. 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. 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.

And find the same correctly engrossed.

Also,

Mr. President:

Your committee on enrolled and engrossed bills have examined 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 find the same correctly enrolled.

HENRY HALE,
Acting Chairman.

MOTIONS AND RESOLUTIONS.

The courtesies of the floor were extended to the following: W. M. Simpson, R. B. Coy, E. L. Beverstad, E. B. Olson, Hon. W. A. Laidlaw, H. D. Allert.

INTRODUCTION AND FIRST READING OF SENATE BILLS.

Mr. Simpson introduced
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.

Which was read the first time.

Mr. Simpson introduced
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 was read the first time.

Mr. Little introduced
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.

Which was read the first time.

Mr. Crane introduced
Senate Bill No. 121,

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. Crane introduced
Senate Bill No. 122,

A bill for an act to amend section 2061 of the Revised Codes of 1899 relating to the salary of district court clerks.

Which was read the first time.

Mr. Sharpe introduced
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.

Which was read the first time.

Mr. McArthur introduced.
Senate Bill No. 124,

A bill for an act to amend section 1112 of the Revised Codes of North Dakota for the year 1899.

Which was read the first time.

The secretary announced that the president 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 president signed the same in the presence of the senate,

MESSAGE FROM THE HOUSE.

The following message was received from the house:

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 4, 1903.

Mr. President:

I have the honor to inform you that the house has concurred in the senate concurrent resolution relating to the passage by congress of a twenty mile minimum rate on railroads carrying stock. A copy of said resolution is herewith returned.

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.

Also,

Mr. President:

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,

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. 73,

A concurrent resolution relating to name of school for deaf and dumb.

Which the house has passed and your favorable consideration thereof is requested.

A. O. ANDERSON,
Chief Clerk.

THIRD 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 third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 34, nays 1, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—

Bacon
Brown
Carroll
Cashel
Clarke
Cox
Crane
Devlin
Fox
Garnett
Geer
Hagen

Messrs.—

Hale
Herbrandson
Jacobson
Johnson
Kirkeide
Lewis
Little
Lofthus
Macdonald
Main
McArthur

Messrs.—

McLean
Plain
Regan
Robinson
Sharpe
Simpson
Swenson
Talcott
Taylor
Voss
Williams

Absent and not voting:

Messrs.—

Benson
Gulack

Messrs.—

Lavayea
Pierce

Messrs.—

Wipperman

Mr. LaMoure voted in the negative.

Messrs. Benson, Gulack, Lavayea, Pierce and Wipperman being excused.

So the bill passed and the title was agreed to.

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 third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 28, nays 6, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Cashel	Jacobson	Plain
Cox	Johnson	Regan
Crane	Kirkeide	Robinson
Devlin	LaMoure	Sharpe
Fox	Little	Simpson
Garnett	Lofthus	Swenson
Geer	Main	Talcott
Hagen	McArthur	Voss
Hale	McLean	Williams
Herbrandson		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Carroll	Macdonald
Brown	Lewis	Taylor

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Gulack	Pierce
Clarke	Lavayea	Wipperman

Messrs. Benson, Gulack, Lavayea, Pierce and Wipperman being excused.

So the bill passed and the title was agreed to.

Mr. Crane moved
That the vote by which
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 passed be reconsidered and the motion to reconsider be laid upon the table,

Which motion prevailed.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 4, 1903.

Mr. President :

I have the honor to inform you that the house is now ready to receive the senate in joint session for the purpose of hearing the

representative of the St. Louis exposition to be held in 1904, and that the house has reserved seats for the senators in the center of the house.

Respectfully,

A. O. ANDERSON,

Chief Clerk.

Mr. Little moved

That the senate do now proceed to the house to meet in joint session.

Which motion prevailed.

Senate reconvened.

Mr. LaMoure moved

That the rules be suspended and that all house bills have their first and second reading and reference.

Which motion prevailed.

FIRST AND 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 first and second times and referred to the committee on judiciary.

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 first and second times and referred to the committee on state affairs.

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 first and second times and referred to the committee on ways and means.

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.

mittee on ways and means.

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 first and second times and referred to the committee on judiciary.

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 first and second times and referred to the committee on judiciary.

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 first and second times and referred to the committee on state affairs.

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 first and second times and referred to the committee on judiciary.

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 first and second times and referred to the committee on cities and municipal corporations.

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 first and second times and referred to the committee on ways and means.

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 first and second times and referred to the committee on cities and municipal corporations.

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 Waillette and Howard, Dakota Territory, approved March 9th, 1883."

Was read the first and second times and referred to the committee on counties.

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 first and second times and referred to the committee on judiciary.

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 first and second times and referred to the committee on judiciary.

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 first and second times 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 first and second times and referred to the committee on judiciary.

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 and second times and referred to the committee on ways and means.

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 first and second times and referred to the committee on agriculture.

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 first and second times and referred to the committee on military affairs.

House Bill No. 36,

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

Was read the first and second times and referred to the committee on public health.

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 first and second times and referred to the committee on public health.

House Bill No. 45,

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

Was read the first and second times and referred to the committee on ways and means.

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 first and second times 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 first and second times and referred to the committee on warehouse, grain and grain grading.

House Bill No. 73,

A concurrent resolution relating to name of school for deaf and dumb.

Was read the first and second times and referred to the committee on education.

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 first and second times and referred to the committee on education.

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 first and second times and referred to the committee on judiciary.

THIRD READING OF SENATE BILLS.

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 on the final passage of the bill.

The roll was called and there were ayes 31, nays none, absent and not voting 9.

Those who voted in the affirmative were

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	Plain
Brown	Jacobson	Regan
Cashel	Johnson	Robinson
Cox	Kirkeide	Sharpe
Crane	LaMoure	Simpson
Devlin	Lewis	Swenson
Fox	Lofthus	Talcott
Garnett	Macdonald	Taylor
Geer	Main	Williams
Hagen	McArthur	
Hale	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Gulack	Pierce
Carroll	Lavayea	Voss
Clarke	Little	Wipperman

Messrs. Benson, Gulack, Lavayea, Pierce and Wipperman being excused.

So the bill passed and the title was agreed to.

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 on the final passage of the bill

The roll was called and there were ayes 33, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hagen	McArthur
Brown	Hale	McLean
Carroll	Herbrandson	Plain

Messrs.—	Messrs.—	Messrs.—
Cashel	Jacobson	Regan
Clarke	Johnson	Robinson
Cox	Kirkeide	Sharpe
Crane	LaMoure	Simpson
Devlin	Lewis	Swenson
Fox	Lofthus	Talcott
Garnett	Macdonald	Taylor
Geer	Main	Williams

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Little	Voss
Gulack	Pierce	Wipperman
Lavayea		

Messrs. Benson, Gulack, Pierce and Wipperman being excused.
So the bill passed and the title was agreed to.

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 third time.

The question being on the final passage of the bill

The roll was called and there were ayes 33, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	McArthur
Brown	Herbrandson	McLean
Carroll	Jacobson	Plain
Cashel	Johnson	Regan
Cox	Kirkeide	Robinson
Crane	LaMoure	Sharpe
Devlin	Lewis	Simpson
Fox	Little	Swenson
Garnett	Lofthus	Talcott
Geer	Macdonald	Taylor
Hagen	Main	Williams

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Lavayea	Voss
Clarke	Pierce	Wipperman
Gulack		

Messrs. Benson, Gulack, Lavayea, Pierce and Wipperman being excused.

So the bill passed and the title was agreed to.

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 on the final passage of the bill

The roll was called and there were ayes 32, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hagen	Main
Brown	Hale	McArthur
Carroll	Herbrandson	McLean
Cashel	Jacobson	Plain
Clarke	Johnson	Robinson
Cox	Kirkeide	Sharpe
Crane	LaMoure	Swenson
Devlin	Lewis	Talcott
Fox	Little	Taylor
Garnett	Lofthus	Williams
Geer	Macdonald	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Pierce	Voss
Gulack	Regan	Wipperman
Lavayea	Simpson	

Messrs. Benson, Gulack, Lavayea, Pierce and Wipperman being excused.

So the bill passed and the title was agreed to.

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 34, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	McLean
Brown	Jacobson	Plain
Cashel	Johnson	Regan
Clarke	Kirkeide	Robinson
Cox	LaMoure	Sharpe
Crane	Lewis	Simpson
Devlin	Little	Swenson
Fox	Lofthus	Talcott
Garnett	Macdonald	Taylor
Geer	Main	Voss
Hagen	McArthur	Williams
Hale		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Gulack	Pierce
Carroll	Lavayea	Wipperman

Messrs. Benson, Gulack, Pierce, Lavayea and Wipperman 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 32, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	McLean
Brown	Herbrandson	Plain
Cashel	Jacobson	Regan
Clarke	Johnson	Robinson
Cox	Kirkeide	Simpson
Crane	Lewis	Swenson
Devlin	Little	Talcott
Fox	Lofthus	Taylor
Garnett	Macdonald	Voss
Geer	Main	Williams
Hagen	McArthur	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	LaMoure	Sharpe
Carroll	Lavayea	Wipperman
Gulack	Pierce	

Messrs. Benson, Gulack, Pierce and Wipperman being excused.
So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Mr. President:

I have the honor to transmit herewith

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 house has passed and your favorable consideration thereof is requested.

A. O. ANDERSON,
Chief Clerk.

Mr. Simpson moved

That the rules be suspended and that

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 given its first and second reading and reference.

Which motion prevailed.

House Bill No. 126,

Was read the first and second times and referred to the committee on cities and municipal corporations.

Mr. Simpson moved

That the senate do now adjourn.

Which motion prevailed, and

The senate adjourned.

R. M. TUTTLE,
Secretary.

THIRTY-FIRST DAY

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 5, 1903.

The senate met at 2 o'clock p. m., pursuant to adjournment.

The president presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Benson, Gulack and Pierce, who were excused.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Sante Fe, N. M., February 4.

Legislative Assembly of North Dakota, Bismarck:

To the president of the senate and speaker of house of representatives of the state of North Dakota:

I am directed by your memorialist, the legislative assembly of the Territory of New Mexico, to communicate with your honorable body with reference to the subject embraced in the memorial adopted by the legislative assembly of New Mexico, the text of which was wired you on Jan. 22, concerning the omnibus bill for the admission of the territory now pending before the United States senate and to call your attention to the urgency of such matter and to request that if the memorial so presented meets with your approbation and you contemplate a compliance therewith, that immediate action be taken and that your memorial when adopted shall be telegraphed to the president of the United States senate and to your senators and to also respectfully request information as to whether any action has at the present time been taken with reference to such memorial.

W. E. MARTIN,
Chief Clerk of the Legislative Council.

REFERENCE OF THE JOURNAL.

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

Mr. President:

Your committee on revision and correction of the journal of the thirtieth day have carefully examined the same and find no corrections to report.

For the 23rd day we recommend a correction on page 13 as far as it refers to Senate Bill No. 81, and that the title of said bill be made to read as follows:

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.

And when so amended recommend that the same be approved.

MAYNARD CRANE,
Acting Chairman.

Mr. Crane moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

REPORT OF COMMITTEE ON JOINT RULES.

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,

JUDSON LaMOURE,

Chairman of the Senate Committee.

M. B. CASSELL.

Chairman of the House Committee.

Mr. LaMoure moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

REPORTS OF STANDING COMMITTEES.

The committee on state affairs made the following report.

Mr. President:

Your committee on state affairs to whom was referred

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,

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:

Line 2, Sec. 1 of printed bill, the word 'two' be substituted for the word "four."

Strike out all of lines 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12, Sec. 1 of printed bill, and insert the following:

District No. 1, shall consist of the following counties: Pembina, Walsh, Grand Forks, Nelson, Ramsey, Cavalier, Benson, Towner, Wells, Pierce, Rolette, McLean, McHenry, Bottineau, Ward, Williams, Allred, Wallace, and all unorganized adjacent territory.

District No. 2, shall consist of the following counties: Traill, Steele, Griggs, Eddy, Foster, Cass, Barnes, Stutsman, Richland, Ransom, LaMoure, Sargent, Dickey, McIntosh, Logan, Emmons, Kidder, Oliver, Burleigh, Morton, Hettinger, Bowman, Billings, Stark, Mercer, Dunn, McKenzie, and all unorganized adjacent territory.

And when so amended recommend that the same do pass.

A. B. COX,
Chairman.

Mr. Cox moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on city and municipal corporations made the following report:

Mr. President:

Your committee on city and municipal corporations 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,

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 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.

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.

Have had the same under consideration and recommend that the same do pass.

J. D. BACON,
Chairman.

The committee on judiciary made the following report:

Mr. President:

Your committee on judiciary to whom was referred

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.

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.

Have had the same under consideration, and recommend that the same be amended as follows:

On page 2, line 3, strike out the words "annual appropriations for said university for such year." and insert in lieu thereof the words, "funds in the state treasury not otherwise appropriated."

And when so amended recommend that the same do pass.

C. B. LITTLE,
Chairman.

Mr. Little moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on enrolled and engrossed bills made the following report:

Mr. President:

Your committee on enrolled and engrossed bills have examined 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.

Also,

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.

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.

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 erection and equipment of necessary additional buildings and for City and Mayville.

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. 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.

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 other states.

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.

And find the same correctly engrossed.

H. E. LAVAYEA,

Chairman.

The courtesies of the floor were extended to the following: E. J. Davidson, T. E. Driscoll, Mr. Hatches, H. B. Lee, F. N. Molneaux, J. Christianson, Henry St. Jacque, Peter Myhre, Samuel Lockerby, O. M. Hatcher and Geo. Drake Smith.

MOTIONS AND RESOLUTIONS.

Mr. Crane offered the following resolution:

Be it resolved by the senate of the eighth legislative assembly of North Dakota, the house of representatives concurring:

That the passage of the omnibus statehood bill in the national congress assembled is inimical to the best interests of the country at large; and be it further

Resolved, That a copy of this resolution be forwarded to each of our representatives in the national congress by our honorable secretary of state

Mr. Crane moved

The adoption of the resolution.

Mr. Simpson moved,

As a substitute that the resolution be referred to committee on judiciary.

Mr. LaMoure arose to a point of order.

The president announcing the point being well taken and the resolution went over for one day.

Mr. LaMoure moved

That all senate bills have their first and second reading and reference.

Which motion prevailed.

SECOND READING OF SENATE BILLS.

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.

Was read the second time, and

Referred to the committee on appropriations.

Senate Bill No. 118,

A bill for an act establishing the state fair, locating it at Fargo, and making appropriations therefor.

Was read the second time, and

Referred to the committee on appropriations.

Senate Bill No. 121,

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.

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 second time, and

Referred to the committee on appropriations.

INTRODUCTION AND FIRST READING OF SENATE BILLS

Mr. Voss introduced

Senate Bill No. 125,

A bill for an act prohibiting the practice of Christian Science, Faith Cure, Mind Healing and other like agencies in the curing of diseases, and providing punishment therefor.

Was read the first and second times, and

Referred to the committee on public health.

Mr. Lewis introduced

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 the committee on ways and means.

Mr. Little introduced

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.

Was read the first and second times, and

Referred to the committee on judiciary.

Mr. Cashel introduced

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. 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. 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 the committee on judiciary.

Senate Bill No. 131,

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 first and second times, and

Referred to the committee on judiciary.

Senate Bill No. 132,

A bill for an act to provide for threshing laborer's lien.

Was read the first and second times, and

Referred to the committee on agriculture.

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 the committee on cities and municipal corporations.

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 the committee on appropriations.

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 the committee on appropriations.

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 first and second times, and
Referred to the committee on appropriations.

Senate Bill No. 137,

A bill for an act to amend section 8567 of the Revised Codes of 1899, relating to product of the twine and cordage plant and how disposed of.

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

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. 139,

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.

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

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 state affairs.

THIRD READING OF SENATE BILLS.

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 31, nays 3, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hagen	McLean
Brown	Hale	Regan
Carroil	Jacobson	Robinson
Cashel	Johnson	Sharpe
Clarke	Kirkelde	Simpson
Cox	Lavayea	Swenson
Crane	Lewis	Talcott
Devlin	Little	Taylor
Fox	Macdonald	Voss
Garnett	Main	Wipperman
Geer		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Herbrandson	Lofthus	McArthur

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	LaMoure	Plain
Gulack	Pierce	Williams

Mr. Williams passed his vote.

Messrs. Benson, Gulack and Pierce being excused.

So the bill passed and the title was agreed to.

Mr. Little moved

That the vote by which Senate Bill No. 63 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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 third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 36, nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	McLean
Brown	Jacobson	Plain
Carroll	Johnson	Regan
Cashel	Kirkeide	Robinson
Clarke	LaMoure	Sharpe
Cox	Lavayea	Simpson
Crane	Lewis	Swenson
Devlin	Little	Talcott
Fox	Lofthus	Taylor
Garnett	Macdonald	Voss
Geer	Main	Williams
Hagen	McArthur	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Herbrandson	Pierce
Gulack		

Mr. Herbrandson not voting.

Messrs. Benson, Gulack and Pierce being excused.

So the bill passed and the title was agreed to.

Mr. Cox moved

That the vote by which Senate Bill No. 80 was passed be reconsidered, and the motion to reconsider be laid on 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 37, nays none, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	McLean
Brown	Jacobson	Plain
Carroll	Johnson	Regan

Messrs.—	Messrs.—	Messrs.—
Cashel	Kirkeide	Robinson
Clarke	LaMoure	Sharpe
Cox	Lavayea	Simpson
Crane	Lewis	Swenson
Devlin	Little	Talcott
Fox	Lofthus	Taylor
Garnett	Macdonald	Voss
Geer	Main	Williams
Hagen	McArthur	Wipperman
Hale		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Gulack	Pierce

Messrs. Benson, Gulack and Pierce being excused.

So the bill passed and the title was agreed to.

Mr. Voss moved

That the vote by which Senate Bill No. 79 was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

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.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 33, nays 4, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hagen	McLean
Brown	Hale	Plain
Carroll	Jacobson	Regan
Cashel	Johnson	Robinson
Clarke	LaMoure	Sharpe
Cox	Lavayea	Simpson
Crane	Lewis	Swenson
Devlin	Little	Talcott
Fox	Lofthus	Taylor
Garnett	Macdonald	Voss
Geer	Main	Wipperman

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Herbrandson	McArthur	Williams
Kirkeide		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Gulack	Pierce

Messrs. Benson Gulack and Pierce being excused.

So the bill passed and the title was agreed to.

Mr. Cashel moved that

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.

Be recommitted.

Which motion prevailed.

Senate Bill No. 90,

A bill for an act repealing sections 7460a and 7460b, 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 27, nays 3, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—

Bacon
Brown
Cashel
Clarke
Crane
Devlin
Garnett
Geer
Hale

Messrs.—

Herbrandson
Jacobson
Kirkeide
LaMoure
Lavayea
Lofthus
Main
McArthur
McLean

Messrs.—

Plain
Regan
Robinson
Sharpe
Swenson
Talcott
Taylor
Williams
Wipperman

Those who voted in the negative were:

Messrs.—

Hagen
Johnson

Messrs.—

Little

Messrs.—

Macdonald

Absent and not voting:

Messrs.—

Benson
Carroll
Cox

Messrs.—

Fox
Gulack
Lewis

Messrs.—

Pierce
Simpson
Voss

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.

The question being upon the final passage of the bill.

The roll was called and there were ayes 32, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—

Bacon
Brown
Carroll
Cashel
Clarke

Messrs.—

Hagen
Hale
Herbrandson
Kirkeide
Lavayea

Messrs.—

McLean
Plain
Regan
Robinson
Sharpe

Messrs.—	Messrs.—	Messrs.—
Cox	Lewis	Swenson
Crane	Little	Talcott
Devlin	Lofthus	Taylor
Fox	Macdonald	Williams
Garnett	Main	Wipperman
Geer	McArthur	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Johnson	Simpson
Gulack	LaMoure	Voss
Jacobson	Pierce	

Messrs. Benson, Gulack and Pierce being excused.

So the bill passed and the title was agreed to.

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 33, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	Plain
Brown	Herbrandson	Regan
Carroll	Jacobson	Robinson
Cashel	Johnson	Sharpe
Clarke	Kirkeide	Simpson
Cox	Lavayea	Swenson
Crane	Little	Talcott
Devlin	Lofthus	Taylor
Fox	Main	Voss
Garnett	McArthur	Williams
Geer	McLean	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	LaMoure	Pierce
Gulack	Lewis	
Hagen	Macdonald	

Messrs. Benson, Gulack and Pierce being excused.

So the bill 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 on the final passage of the bill.

The roll was called and there were ayes 35, nays none, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	Plain
Brown	Herbrandson	Regan
Carroll	Jacobson	Robinson
Cashel	Johnson	Sharpe
Clarke	Kirkeide	Simpson
Cox	LaMoure	Swenson
Crane	Lavayea	Talcott
Devlin	Little	Taylor
Fox	Lofthus	Voss
Garnett	Main	Williams
Geer	McArthur	Wipperman
Hagen	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Lewis	Pierce
Gulack	Macdonald	

Messrs. Benson, Gulack and Pierce being excused.

So the bill passed and the title was agreed to.

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 third time.

The question being on the final passage of the bill.

The roll being called there were ayes 37, nays none, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	McLean
Brown	Jacobson	Plain
Carroll	Johnson	Regan
Cashel	Kirkeide	Robinson
Clarke	LaMoure	Sharpe
Cox	Lavayea	Simpson
Crane	Lewis	Swenson
Devlin	Little	Talcott
Fox	Lofthus	Taylor
Garnett	Macdonald	Voss
Geer	Main	Williams
Hagen	McArthur	Wipperman
Hale		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Gulack	Pierce

Messrs. Benson, Gulack and Pierce being excused.

So the bill passed and the title was agreed to.

Mr. Cox moved

That the vote by which

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 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

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 36, nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—

Bacon
Brown
Carroll
Cashel
Clarke
Cox
Crane
Devlin
Fox
Garnett
Geer
Hagen

Messrs.—

Hale
Herbrandson
Jacobson
Johnson
Kirkeide
LaMoure
Lavayea
Lewis
Little
Lofthus
Macdonald
Main

Messrs.—

McArthur
McLean
Regan
Robinson
Sharpe
Simpson
Swenson
Talcott
Taylor
Voss
Williams
Wiperman

Absent and not voting:

Messrs.—

Benson
Gulack

Messrs.—

Pierce

Messrs.—

Plain

Messrs. Benson, Gulack and Pierce being excused.

So the bill passed and the title was agreed to.

Mr. Simpson 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, in case of vacancy.

Be given its third reading.

Which motion prevailed.

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 37, nays none, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	McLean
Brown	Jacobson	Plain
Carroll	Johnson	Regan
Cashel	Kirkeide	Robinson
Clarke	LaMoure	Sharpe
Cox	Lavayea	Simpson
Crane	Lewis	Swenson
Devlin	Little	Talcott
Fox	Lofthus	Taylor
Garnett	Macdonald	Voss
Geer	Main	Williams
Hagen	McArthur	Wipperman
Hale		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Gulack	Pierce	Benson

Messrs. Benson, Gulack and Pierce being excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 5, 1903.

To the Senate:

Gentlemen: I have the honor to inform you that I have approved and filed with the honorable secretary of state

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.

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.

Senate Bill No. 28,

A bill for an act to amend section 6365 of the Revised Codes of

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1899, relating to the removal of executors, administrators and guardians.

I have the honor to be,

Very respectfully,

FRANK WHITE,
Governor.

MESSAGE FROM THE HOUSE.

Mr. President:

I have the honor to transmit herewith a concurrent resolution relating to a repeal of the tariff on lumber which the house has passed, and your concurrence therein is respectfully requested.

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. 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. 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 the house has passed and your favorable consideration thereof is respectfully requested.

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 the house has passed unchanged.

Respectfully,

A. O. ANDERSON,
Chief Clerk.

Mr. Voss moved

That the senate do now adjourn.

Which motion prevailed, and

The senate adjourned.

R. M. TUTTLE,
Secretary.

THIRTY-SECOND DAY

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 6, 1903,

The senate met at 2 o'clock p. m., pursuant to adjournment.

The president presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Benson, Gulack and Pierce who were excused.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

To the Honorable Senate 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 Senate 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 enrolled and engrossed bills made the following report:

Mr. President:

Your committee on enrolled and engrossed bills have examined 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. 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. 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. 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.

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. 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 find the same correctly engrossed.

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.

And find the same correctly enrolled.

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 find the same correctly engrossed.

Also,

Mr. President:

Your committee on enrolled bills respectfully report that at the hour of 4 p. m., on February 2d,

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.

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. 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, that at the hour of 3:10 p. m. on February 2nd,

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.

Also, that at the hour of 2:30 on February 6th,

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.

Were delivered to His Excellency, the Governor, for his approval.

H. E. LAVAYEA,

Chairman.

The committee on judiciary made the following report:

Mr. President:

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,

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:

That the title of the bill be made to read as follows:

'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.'

On page 2 of printed bill, line 6, of section, insert after the word "warden," the words "superintendent or keeper thereof," and after the word "kept" insert the words "in close confinement."

In line 7, after the word "execution," insert the words, "and the sheriff must also deliver to the warden or other proper officer a certified copy of the judgment and warrant to execute, as described in section 8305, and take from the warden or other proper officer a receipt for the defendant and make due return thereof to the court."

In line 9, same section, after the word "mileage," insert the words "from the county where the conviction was had."

In line 10, strike out the words "warden of the penitentiary," and insert therein, "board of county commissioners of said county."

On page 3, section 6, line 6, after the word "warden," insert the words "or other proper officer."

On page 4, section 9, line 3, change the word "insane" to "sane" and insert immediately thereafter the words, "the sheriff must forthwith return the prisoner to the penitentiary together with a certified copy of the findings of the examination and the warden or his deputy must execute the judgment; if the convict is found insane." After the word "execution," in line 3, of section 10, on page 4, insert the following: "The sheriff must thereupon, in the same manner deliver the prisoner to the warden, or other proper officer of the penitentiary, in like manner as described in section 3, hereof, except that the sheriff shall deliver to the said warden or other proper officer of the penitentiary, a certified copy of the warrant of the governor only."

On pages 4 and 5, strike out all of section 11 and insert instead thereof the following:

"Sec. 11. When there is good reason to suppose that a female against whom judgment of death is rendered is pregnant, the warden or other proper officer of the penitentiary must summon a jury of three regularly practicing physicians of this state to inquire into the supposed pregnancy."

On page 5, line 2, of section 12, strike out the word "sheriff" and insert in lieu thereof, the words, "warden or other proper officer."

After the word "warrant" in line 4, same section and page, insert the words, "directed to the warden or other proper officer."

Strike out all of section 14, on page 5, and insert instead thereof the following:

"Section 14. That section 8305, of the Revised Codes of 1899, relating to (Judgment of death. Warrant to execute.) be amended so as to read as follows:

"Section 8305. Judgment of Death. Warrant to Execute.) When the judgment of death is rendered the judge must sign and deliver to the sheriff of the county a warrant duly attested by the clerk under the seal of the court, stating the conviction and judgment and appointing a day upon which the judgment is to be executed, which must not be less than six months after the day in which the judgment is entered and not longer than nine months thereafter."

Section 15. That section 8308 of the revised codes of 1899, relating to "governor only can reprieve," be amended to read as follows:

Sec. 8308. Governor only can reprieve. No judge, court or other officer can reprieve or suspend the execution of the judgment of death, except the warden or his duly acting deputy, as provided in this act, unless an appeal is taken."

Sec. 16. Be added and made to read as follows:

"Sec. 16. All acts and parts of acts in conflict with the provisions of this act are hereby repealed."

And when so amended recommend that the same do pass.

C. B. LITTLE,
Chairman.

Mr. Little 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. President:

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,

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 be amended as follows:

Strike out the words "five per cent" in line 12, page 2, of the printed bill and insert in lieu thereof the words "four per cent."

And when so amended recommend that the same do pass.

C. B. LITTLE,
Chairman.

Mr. Little 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. President:

Your committee on judiciary to whom was referred

Senate Bill No. 107,

A bill for an act to amend section 4 of chapter 156, of the ses-

sion laws of 1901, relating to the appropriation and payment of moneys derived from taxation for the maintenance of cate schools.

Have had the same under consideration and recommend that the same do pass.

C. B. LITTLE,
Chairman.

REFERENCE OF THE JOURNAL.

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

Mr. President:

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 amended as follows:

By adding after the 12th line from the bottom on page 2, the following:
"And that a sufficient number be re."

And when so amended recommend that the same be approved.

MAYNARD CRANE,
Acting Chairman.

The committee on ways and means made the following report:

Mr. President:

Your committee on ways and means to whom was referred
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.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. B. SHARPE,
Chairman.

Mr. Sharpe 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. President:

Your committee on ways and means 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.

J. B. SHARPE,
Chairman.

The committee on ways and means made the following report:

Mr. President:

Your committee on ways and means 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 the same do pass.

Also,

Mr. President:

Your committee on ways and means to whom was referred

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,

Have had the same under consideration, and recommend that the same be amended as follows:

That the word "made" be inserted after the word "be" in line 18, section 2, of the engrossed bill.

And when so amended recommend that the same do pass.

J. B. SHARPE,
Chairman.

Mr. Sharpe 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. President:

Your committee on ways and means 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. President:

Your committee on ways and means 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:

That the word "July" be stricken out in line 2, of section 2494, and the word "September" be inserted in lieu thereof in engrossed bill.

And when so amended recommend that the same do pass.

J. B. SHARPE,
Chairman.

Mr. Sharpe 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. President:

Your committee on ways and means 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 be amended as follows:

That the word "September" be stricken out and the word "October" be substituted in lieu thereof in line 15, section 1243, engrossed bill; that the word "is" be stricken out and the word "are" be substituted in lieu thereof in line 20 of said section; that the word "restrain" be stricken out and the word "distrain" be substituted in lieu thereof in line 23 of said section; that the word "destrained" be stricken out and the word "distrain" be substituted in lieu thereof in line 34 of said section.

And when so amended recommend that the same do pass.

J. B. SHARPE,
Chairman.

Mr. Sharpe moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on agriculture made the following report:

Mr. President:

Your committee on agriculture 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.

Also,

Mr. President:

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.

IVER SWENSON,
Chairman.

MESSAGE FROM THE HOUSE.

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

Mr. President:

I have the honor to transmit herewith the following concurrent resolution introduced by Mr. Shiels:

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

Whereas, the citizens of North Dakota, a purely agricultural state are entirely dependent upon other states and counties 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.

Which the house has passed and your concurrence therein is respectfully requested.

A. O. ANDERSON,
Chief Clerk.

Also,
Mr. President:

I have the honor to return 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.

Which the house has passed unchanged.

Also,
[Transmit herewith
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. 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. 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. 129,
A bill for an act to provide for the bonding of certain officers.

Also,
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 the house has passed and your favorable consideration thereof is requested.

A. O. ANDERSON,
Chief Clerk.

The secretary announced that the president 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 president signed the same in the presence of the senate.

Mr. Crane moved

That the concurrent resolution relating to the omnibus statehood bill, offered yesterday, be referred to the committee on judiciary.

Which motion prevailed.

Mr. Cox moved

That the following be placed on the enrolling and engrossing force, the first to be assigned as stenographer: Miss Cora Simpson, Miss Minnie C. Budlong, Eugene Tessier.

INTRODUCTION AND FIRST READING OF SENATE BILLS.

Mr. Williams introduced

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.

Which was read the first time.

Mr. Williams introduced

Senate Bill No. 142,

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. McLean introduced

Senate Bill No. 143,

A bill for an act to amend section 2060, chapter 27, of the political code of the Revised Code of the state of North Dakota, relating to the office to be furnished to the state's attorney.

Which was read the first time.

Mr. Lavayea introduced

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 was read the first time .

Mr. Taylor introduced

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.

Which was read the first time.

Mr. Regan introduced

Senate Bill No. 146,

A bill for an act requiring all telegraph companies whose business is exclusively to transmit messages by telegraph, to keep open their offices at all hours in towns of 2,000 population or over, and prescribing a penalty for the violation thereof.

Which was read the first time.

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 second time and

Referred to the committee on judiciary.

Senate Bill No. 122,

A bill for an act to amend section 2061 of the Revised Codes of 1899 relating to the salary of district court clerks.

Was read the second time, and

Referred to the committee on judiciary.

THIRD 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 third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 34, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Johnson	Plain
Brown	Kirkeide	Regan
Carroll	LaMoure	Robinson
Cashel	Lavayea	Sharpe
Cox	Lewis	Simpson
Devlin	Little	Swenson
Fox	Lofthus	Talcott
Garnett	Macdonald	Taylor
Geer	Main	Voss
Hagen	McArthur	Williams
Herbrandson	McLean	Wipperman
Jacobson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Crane	Gulack
Clarke	Hale	Pierce

Messrs. Benson, Gulack, and Pierce being excused.

So the bill passed and the title was agreed to.

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 36, nays none, absent and not voting 4.

Those who voted in the affirmative were

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	McLean
Brown	Jacobson	Plain
Carroll	Johnson	Regan
Cashel	Kirkeide	Robinson
Clarke	LaMoure	Sharpe
Cox	Lavayea	Simpson
Crane	Lewis	Swenson
Devlin	Little	Talcott
Garnett	Lofthus	Taylor
Geer	Macdonald	Voss
Hagen	Main	Williams
Hale	McArthur	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Gulack	Pierce
Fox		

Messrs. Benson, Gulack and Pierce being excused.

So the bill passed and the title was agreed to.

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 36, nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	McLean
Brown	Jacobson	Plain
Carroll	Johnson	Regan
Cashel	Kirkeide	Robinson
Clarke	LaMoure	Sharpe
Cox	Lavayea	Simpson
Crane	Lewis	Swenson
Devlin	Little	Talcott
Garnett	Lofthus	Taylor
Geer	Macdonald	Voss
Hagen	Main	Williams
Hale	McArthur	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Gulack	Pierce
Fox		

Messrs. Benson, Gulack and Pierce being excused.

So the bill passed and the title was agreed to.

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 34, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Johnson	Plain
Carroll	Kirkeide	Regan
Cashel	LaMoure	Robinson
Clarke	Lavayea	Sharpe
Cox	Lewis	Simpson
Crane	Little	Swenson
Devlin	Lofthus	Talcott
Garnett	Macdonald	Taylor
Geer	Main	Voss
Hagen	McArthur	Williams
Herbrandson	McLean	Wipperman
Jacobson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Fox	Hale
Brown	Gulack	Pierce

Messrs. Benson, Gulack and Pierce being excused.

So the bill passed and the title was agreed to.

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 34, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Jacobson	Plain
Brown	Johnson	Regan
Carroll	Kirkeide	Robinson
Cashel	Lavayea	Sharpe
Clarke	Lewis	Simpson
Cox	Little	Swenson
Crane	Lofthus	Talcott
Devlin	Macdonald	Taylor
Garnett	Main	Voss
Geer	McArthur	Williams
Hagen	McLean	Wipperman
Herbrandson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Gulack	LaMoure
Fox	Hale	Pierce

Messrs. Benson, Gulack and Pierce being excused.

So the bill passed and the title was agreed to.

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.

The question being upon the final passage of the bill.

The roll was called and there were ayes 34, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Jacobson	Regan
Brown	Johnson	Robinson
Carroll	Kirkeide	Sharpe
Cashel	Lavayea	Simpson
Clarke	Lewis	Swenson
Cox	Little	Talcott
Crane	Lofthus	Taylor
Devlin	Macdonald	Voss
Garnett	Main	Williams
Geer	McArthur	Wipperman
Hagen	McLean	
Herbrandson	Plain	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Gulack	LaMoure
Fox	Hale	Pierce

Messrs. Benson, Gulack and Pierce being excused.

So the bill passed and the title was agreed to.

Mr. Cox moved

That the vote by which

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 passed be reconsidered, and the motion to reconsider be laid upon the table.

Which motion prevailed.

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 35, nays none, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	Plain
Brown	Jacobson	Regan
Carroll	Johnson	Robinson
Cashel	Kirkeide	Sharpe
Clarke	Lavayea	Simpson
Cox	Lewis	Swenson
Crane	Little	Talcott

Messrs.—
Devlin
Garnett
Geer
Hagen
Hale

Messrs.—
Lofthus
Macdonald
Main
McArthur
McLean

Messrs.—
Taylor
Voss
Williams
Wipperman

Absent and not voting:

Messrs.—
Benson
Fox

Messrs.—
Gulack
LaMoure

Messrs.—
Pierce

Messrs. Benson, Gulack and Pierce being excused.

So the bill passed and the title was agreed to.

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 third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 31, nays none, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—
Cashel
Clarke
Crane
Devlin
Garnett
Geer
Hagen
Hale
Herbrandson
Jacobson
Johnson

Messrs.—
Kirkeide
Lavayea
Lewis
Little
Lofthus
Macdonald
Main
McArthur
McLean
Plain

Messrs.—
Regan
Robinson
Sharpe
Simpson
Swenson
Talcott
Taylor
Voss
Williams
Wipperman

Absent and not voting:

Messrs.—
Bacon
Benson
Brown

Messrs.—
Carroll
Cox
Fox

Messrs.—
Gulack
LaMoure
Pierce

Messrs. Benson, Gulack and Pierce 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 33, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	Plain
Brown	Jacobson	Regan
Carroll	Johnson	Robinson
Cashel	Kirkeide	Sharpe
Clarke	Lavayea	Simpson
Cox	Lewis	Swenson
Crane	Little	Talcott
Devlin	Lofthus	Taylor
Garnett	Macdonald	Voss
Geer	Main	Williams
Hagen	McArthur	Wipperman
Hale	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Gulack	Pierce
Fox	LaMoure	

Messrs. Benson, Gulack and Pierce being excused.

So the bill passed and the title was agreed to.

Mr. Taylor moved

That the vote by which

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 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

SECOND READING OF HOUSE BILLS.

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 judiciary.

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.

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 ways and means.

Mr. Little moved
That the rules be suspended and that
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 placed on its third reading a final passage.

Which motion prevailed.

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 22, nays 9, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Geer	McLean
Brown	Hale	Robinson
Carroll	Herbrandson	Sharpe
Clarke	Jacobson	Simpson
Cox	Kirkelde	Talcott
Crane	Lavayea	Taylor
Devlin	Little	Voss
Garnett		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Hagen	McArthur	Swenson
Macdonald	Plain	Williams
Main	Regan	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Gulack	Lewis
Cashel	Johnson	Lofthus
Fox	LaMoure	Pierce

So the bill passed and the title was agreed to.

Mr. Little moved

That the vote by which House Bill No. 19,

Was passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

The courtesies of the floor was extended to the following: J. B. Mooney, Dr. John Crawford, E. H. Wright, John Riessbeck.

Mr. Lavayea moved

That the senate do now adjourn,

Which motion prevailed, and

The senate adjourned.

R. M. TUTTLE,

Secretary.

THIRTY-THIRD DAY

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 7, 1903.

The senate met at 2 o'clock p. m., pursuant to adjournment.

The president presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Benson, Gulack and Pierce, who were excused.

The following were sworn in by the president: Miss Cora Simpson and Eugene Tessier.

PRESENTATION OF PETITIONS AND COMMUNICAIONS.

Whereas, the state's attorney of this county, has recommended to this board, a bill for an act, attached hereto, which in the opinion of the state's attorney will accomplish all the objects within the purview of a curative act, and will enable this county to enforce payment of most of the taxes heretofore irregularly levied and correct many defects now existing in the revenue law.

And the board of county commissioners, after a careful examination of said proposed act, are satisfied that the same will be a great benefit to this county, therefore, be it

Resolved, that the senators and representatives of this county are requested to use their best efforts to secure the passage of this act, in lieu

of any other curative act which has been introduced in the legislature at this session.

W. G. NEWTON,
Chairman Board of County Commissioners of Cass County, N. D.

REFERENCE OF THE JOURNAL.

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

Mr. President:

Your committee on revision and correction of the journal of the thirty-second day, have carefully examined the same and find no corrections to make.

MAYNARD CRANE,
Acting Chairman.

REPORTS OF STANDING COMMITTEES.

The committee on state affairs made the following report.

Mr. President:

Your committee on state affairs 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 be amended as follows:

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."

And when so amended recommend that the same do pass.

A. B. COX,
Chairman.

Mr. Cox moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on public health made the following report:

Mr. President:

Your committee on public health to whom was referred 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.

Have had the same under consideration, and recommend that the same be amended as follows:

That in line 15 of the printed bill, after the words "dollars," insert the words, "per annum."

And when so amended recommend that the same do pass.

J. D. TAYLOR,
Chairman.

Mr. Taylor moved

That the report be adopted.

Which motion prevailed, and
The report of the committee was adopted.

The committee on public health made the following report:

Mr. President:

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,

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.

J. D. TAYLOR,
Chairman.

The committee on counties made the following report:

Mr. President:

Your committee on counties 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 Walleette and Howard, Dakota Territory, approved March 9th, 1883."

Have had the same under consideration and recommend that the same do pass.

Also,

Senate Bill No. 87,

A bill for an act to amend section 343a of the Revised Codes of 1899, relating to county treasurers' official bond.

Have had the same under consideration and recommend that the same be amended as follows:

That the word "December," in line 17, page 2 of the printed bill, be stricken out, and the word "November," be inserted in lieu thereof.

And when so amended recommend the same do pass.

M. JACOBSON,
Chairman.

Mr. Jacobson 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. President:

Your committee on judiciary to whom was referred
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 be amended as follows:

After the word "deputy," at the end of line 4 of the printed bill, insert
the words, "in the name of his principal by such deputy."

After the word "deputy," in line 5, insert the words "or by such deputy
as deputy."

And when so amended recommend the same do pass.

C. B. LITTLE,
Chairman.

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

Also,

Mr. President:

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 be amended as follows:

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."

And when so amended recommend the same do pass.

C. B. LITTLE,
Chairman.

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

Also,

Mr. President:

Your committee on judiciary to whom was referred

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.

Have had the same under consideration and recommend that the same do pass.

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.

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 do pass.

C. B. LITTLE,
Chairman.

The committee on state affairs made the following report.

Mr. President:

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 be amended as follows:

In line 3 of printed bill, after the word "city," insert "off the public highway, except on his own lands," and after the word "ammunition," insert "and."

And when so amended recommend that the same do pass.

A. B. COX,
Chairman.

Mr. Cox moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Mr. President:

Your committee on state affairs 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 be amended as follows:

In line 4 of printed bill, after the word "length," insert, "no more than one-half inch in diameter."

And when so amended recommend that the same do pass.

A. B. COX,
Chairman.

Mr. Cox moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on city and municipal corporations made the following report:

Mr. President:

Your committee on city and municipal corporations 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 section 2355 of the Revised Codes of North Dakota of 1899.

Have had the same under consideration, and recommend that the same be amended as follows:

To strike out the title to the bill and inserting in lieu thereof the words and figures following, to-wit:

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.

Strike out the word "second" in line 4 of the printed bill, and insert in lieu thereof the word, "third."

By striking out section 2 of the printed bill and inserting in lieu thereof the following:

Section 2. That section 2358 of the Revised Codes of the state of North Dakota for 1899 be amended so as to read as follows:

Section 2358. What village officers to be elected. There shall be elected at the first and at each subsequent election one trustee from each district in said village, also a clerk, assessor, treasurer, marshal, and justice of the peace, who shall respectively hold their offices until the third Tuesday in March next following or until their successors are elected and qualified; provided, however, that nothing herein contained shall prevent the respective offices of clerk, treasurer, assessor and marshal from being held by one and the same person.

Also by adding section 3 to the printed bill as follows:

Section 3. All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

Section 4. Whereas, an emergency exists in this, that long prior to July 1st, 1903, an annual election will be held to fill the offices in this bill mentioned, therefore this act shall be in force and effect from and after its passage and approval.

And when so amended recommend that the same do pass.

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

Also,

Mr. President:

Your committee on city and municipal corporations 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,

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.

J. D. BACON,
Chairman.

The committee on enrolled and engrossed bills made the following report:

Mr. President:

Your committee on enrolled and engrossed bills have examined 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. 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. 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. 106,

A bill for an act for the creation of corporations for the purpose of establishing and maintaining creameries.

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. 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.

And find the same correctly engrossed.

H. E. LAVAYEA,
Chairman.

MESSAGE FROM THE HOUSE.

The following message was received from the house:

Mr. President:

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.

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.

Which the house has passed and your favorable consideration thereof is requested.

Also return herewith

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 house passed with the following amendment.

Amend by inserting in line 5 the words, "with all rights and powers of a member of said board."

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 the house has passed with the following amendment:

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 your concurrence in said amendment is requested.

A. O. ANDERSON,

Chief Clerk.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 6, 1903.

To the Senate:

I have the honor to return 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.

Without my approval.

My objections to the bill are, first: All the things authorized to be done under the provisions of this bill relate to the issuing of bonds and payment of interest, none of which provisions are expressed in its title, as required by section 61 of the constitution of the state, and, second: Two separate and conflicting means are provided for the payment of the interest.

Also,

I have the honor to inform you that I have approved and filed with the honorable secretary of state

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 corporations upon dissolution.

I have the honor to be,

Very respectfully,
FRANK WHITE,
Governor.

The courtesies of the floor were extended to the following: S. G. Moore, B. S. Shaw, Hon. J. S. Murphy, William Ritchie, G. S. Barnes, John D. Benton, J. D. Moulder, Richard Fields, Dr. Sullivan, James Kennedy.

MOTIONS AND RESOLUTIONS.

Mr. Robinson moved

That the senate concur in the house amendments to 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.

The question being on concurring in the amendments to the bill.

The roll was called and there were ayes 36, nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—

Bacon
Brown
Carroll
Cashel
Clarke
Cox
Crane
Devlin
Fox
Garnett
Geer
Hagen

Messrs.—

Hale
Herbrandson
Jacobson
Kirkeide
LaMoure
Lavayea
Lewis
Little
Lofthus
Macdonald
Main
McArthur

Messrs.—

McLean
Plain
Regan
Robinson
Sharpe
Simpson
Swenson
Talcott
Taylor
Voss
Williams
Wipperman

Absent and not voting:

Messrs.—

Benson
Gulack

Messrs.—

Johnson

Messrs.—

Pierce

Messrs. Benson, Gulack and Pierce being excused.

And the senate concurred in the amendments.

Mr. Hale moved

That all senate bills on the desk be given their first and second reading.

Which motion prevailed.

FIRST READING OF SENATE BILLS.

Mr. Lewis introduced

Senate Bill No. 147,

A bill for an act relating to agricultural fair corporations.

Which was read the first time.

Mr. Main introduced

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 was read the first time.

Mr. Williams introduced

Senate Bill No. 149,

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 time.

Mr. Williams introduced

Senate Bill No. 150,

A bill for an act to amend section 1526 of the Revised Codes of North Dakota of 1899.

Which was read the first time.

Mr. Hale introduced

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 was read the first time.

Mr. Hale introduced

Senate Bill No. 152,

A bill for an act to require fire, lightning or tornado insurance agents within the state to pay license fees, providing how such fees shall be disbursed and a penalty for violation of its provisions.

Which was read the first time.

Mr. Crane moved

That the senate take a recess of 30 minutes.

Which motion was lost.

Mr. Lewis moved

That the senate take a recess of 10 minutes.

Which motion prevailed.

The senate reconvened.

Mr. Little moved

That the senate do now adjourn.

Which motion prevailed, and

The senate adjourned.

R. M. TUTTLE,
Secretary.

THIRTY-FIFTH DAY

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 9, 1903

The senate met at 2 o'clock p. m., pursuant to adjournment.

The president presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Benson, Gulack and Pierce, who were excused.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

To the Hon. C. B. Cox, member of Senate, state of North Dakota:

We, the undersigned voters and citizens of the vicinity of Leal, Barnes Barnes county, N. D., earnestly petition you to use your vote and influence as our representative in said senate 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 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 69 Others.

REFERENCE OF THE JOURNAL.

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

Mr. President:

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 11, strike out the name Miss M. Bates where it occurs, and insert in lieu thereof, the names Mrs. Minnie C. Budlong.

And when so amended recommend that the same be approved.

MAYNARD CRANE,
Acting Chairman.

Mr. Crane moved

That the report be adopted.

Which motion prevailed, and

That the report of the committee be adopted.

REPORTS OF STANDING COMMITTEES.

The committee on highways and bridges made the following report:

Mr. President:

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 be amended as follows:

Section 1447, line 10 of the engrossed bill, the words "presiding in the vicinity of" be stricken out and the words, "whose property will be affected by," be inserted in lieu thereof.

And beginning in line 10 of engrossed bill, section 1447, the words, "two or more of whom shall be owners of land liable to be affected by or assessed for the expenses of the construction of the same," be stricken off, and that all of section 1448 be stricken off the bill.

And when so amended recommend that the same do pass.

ALEX MACDONALD,
Chairman.

Mr. Macdonald moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on enrolled and engrossed bills made the following report:

Mr. President:

Your committee on enrolled and engrossed bills have examined 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. 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. 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. 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. 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. 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. 76,

A bill for an act to prohibit the use and manufacture of cannon fire crackers.

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. 87,

A bill for an act to amend section 343a of the Revised Codes of 1899, relating to county treasurers' official bond.

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.

And find the same correctly engrossed.

Also,

Mr. President:

Your committee on enrolled and engrossed bills have examined 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.

And find the same correctly enrolled.

H. E. LAVAYEA,
Chairman.

The committee on military affairs made the following report:

Mr. President:

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.

R. A. FOX,
Chairman.

The committee on enrolled and engrossed bills made the following report:

Mr. President:

Your committee on enrolled and engrossed bills respectfully report that at the hour of 2:20 p. m. of this day

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.

Were delivered to his excellency, the governor, for his approval.

H. E. LAVAYEA,
Chairman.

The secretary announced that the president 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,

Senate Bill No. 9,

A bill for an act providing for the creating and investment of a sinking fund by the state treasurer whenever state educational or other state institutions issue bonds.

Also,
Senate Bill No. 19,

A bill for an act to amend section 172 of the Revised Codes relating to the investment of the permanent school fund.

Also,
Senate Bill No. 126,

A bill for an act validating assessments and taxes, and providing for the collection of such taxes.

And the president signed the same in the presence of the senate.

Mr. LaMoure, on behalf of the joint committee appointed for the purpose of making arrangements for the celebration of the birthday of Abraham Lincoln on next Thursday, the 12th of February, reported that the committee had made arrangements and would secure the presence of Hon. J. M. Cochrane and the Rev. Father Conaty, who will be here to deliver orations on that date. The committee suggested that the senate and house meet jointly at 1 o'clock on next Thursday for the purpose of listening to orations by the gentlemen named.

Mr. LaMoure moved

That the report of the committee be adopted.

Which motion prevailed.

MOTIONS AND RESOLUTIONS.

Mr. Sharpe moved

That the senate do now concur in the house resolution regarding the tariff on lumber found on page 9 on the sixth day.

Which motion prevailed.

The courtesies of the floor were extended to the following: Samuel Balfour, A. L. Lowden, J. J. DeLaney and George Hancock.

Mr. LaMoure moved

That the senate concur in house amendments to Senate Bill No. 1, and a roll call be had.

Which motion prevailed.

The question being upon concurring in the amendment.

The roll was called and there were ayes 35, nays none, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—

Bacon
Carroll
Cashel
Clarke
Cox
Crane
Devlin
Fox
Garnett
Geer
Hagen
Hale

Messrs.—

Herbrandson
Jacobson
Johnson
Kirkeide
LaMoure
Lavayea
Lewis
Little
Lofthus
Macdonald
Main
McArthur

Messrs.—

McLean
Plain
Robinson
Sharpe
Simpson
Swenson
Talcott
Taylor
Voss
Williams
Wipperman

Absent and not voting:

Messrs.—

Benson
Brown

Messrs.—

Gulack
Pierce

Messrs.—

Regan

Messrs. Benson, Gulack and Pierce being excused.

So the senate concurred in the amendment.

INTRODUCTION AND FIRST READING OF SENATE BILLS.

Mr. Little introduced

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

Which was read the first time.

Mr. Plain introduced

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.

Which was read the first time.

Mr. Swenson introduced

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.

Which was read the first time

Mr. Carroll introduced

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.

Which was read the first time.

Mr. Taylor introduced

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 educational and charitable institutions, and providing for an appropriation for the necessary expenses connected with the geological survey of the state of North Dakota.

Which was read the first time.

Mr. Lewis introduced

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 was read the first time.

SECOND READING OF SENATE BILLS.

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 second time, and

Referred to the committee on judiciary.

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 second time, and

Referred to the committee on judiciary.

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 second time, and

Referred to the committee on highways and bridges.

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 second time, and

Referred to the committee on insurance.

Senate Bill No. 142,

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.

Senate Bill No. 143,

A bill for an act to amend section 2060, chapter 27, of the political code of the Revised Code of the state of North Dakota, relating to the office to be furnished to the state's attorney.

Was read the second time, 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 second time, and

Referred to the committee on railroads.

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, pre-

scribing 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 second time, and

Referred to the committee on public health.

Senate Bill No. 146,

A bill for an act requiring all telegraph companies whose business is exclusively to transmit messages by telegraph, to keep open their offices at all hours in towns of 2,000 population or over, and prescribing a penalty for the violation thereof.

Was read the second time, and

Referred to the committee on corporations other than municipal.

Senate Bill No. 147,

A bill for an act relating to agricultural fair corporations.

Was read the second time, and

Referred to the committee on appropriations.

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.

Was read the second time, and

Referred to the committee on state affairs.

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 second time and

Referred to the committee on state affairs.

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 second time, and

Referred to the committee on state affairs.

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 second time, and

Referred to the committee on joint committee on education.

Senate Bill No. 152,

A bill for an act to regulate fire, lightning or tornado insurance agents within the state to pay license fees, providing how such

fees shall be disbursed and a penalty for violation of its provisions.

Was read the second time and

Referred to the committee on insurance.

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.

Was read the second time, and

Referred to the committee on judiciary.

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 second time, and

Referred to the committee on statistics.

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 second time, and

Referred to the committee on railroads.

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 second time and

Referred to the committee on appropriations.

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 second time, and

Referred to the committee on appropriations.

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 second time and

Referred to the committee on public printing.

Mr. Little moved

That all senate and house bills be given the second reading with reference.

Which motion prevailed.

FIRST AND SECOND READING OF HOUSE BILLS.

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 first and second times, and
Referred to the committee on insurance.

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 first and second times, and
Referred to the committee on education.

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 first and second times, and
Referred to the committee on judiciary.

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 first and second times, and
Referred to the committee on judiciary.

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 first and second times, 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 first and second times, and
Referred to the committee on judiciary.

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 first and second times, and
Referred to the committee on insurance.

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 first and second times, and
Referred to the committee on elections.

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 first and second times, and
Referred to the committee on appropriations.

House Bill No. 14,

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

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

House Bill No. 18,

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

Was read the first and second times, and
Referred to the committee on public health.

THIRD 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 third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 34, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—

Bacon
Brown
Carroll
Cashel
Clarke
Cox
Crane
Devlin
Fox
Garnett
Geer
Hagen

Messrs.—

Hale
Herbrandson
Jacobson
Johnson
Kirkeide
Lavayea
Little
Lofthus
Macdonald
Main
McArthur

Messrs.—

McLean
Plain
Robinson
Sharpe
Simpson
Swenson
Talcott
Taylor
Voss
Williams
Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	LaMoure	Pierce
Gulack	Lewis	Regan

Messrs. Benson, Gulack and Pierce being excused.

So the bill passed and the title was agreed to.

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 third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 33, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	McArthur
Brown	Herbrandson	McLean
Carroll	Jacobson	Plain
Cashel	Johnson	Regan
Clarke	Kirkeide	Sharpe
Cox	LaMoure	Simpson
Crane	Lavayea	Swenson
Devlin	Little	Talcott
Fox	Lewis	Taylor
Garnett	Lofthus	Voss
Geer	Macdonald	Williams
Hagen	Main	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Pierce	Robinson
Gulack		

Messrs. Benson, Gulack and Pierce being excused.

So the bill passed and the title was agreed to.

Mr. Little moved

That the title be amended to read as follows: After the word "For an act" insert the following:

"Authorizing the board of trustees of the Agricultural college to issue bonds to provide a fund."

Which motion prevailed.

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 on the final passage of the bill.

The roll was called and there were ayes 35, nays none, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	McArthur
Brown	Herbrandson	McLean
Carroll	Jacobson	Plain
Cashel	Johnson	Robinson
Clarke	Kirkeide	Sharpe
Cox	LaMoure	Swenson
Crane	Lavayea	Talcott
Devlin	Lewis	Taylor
Fox	Little	Voss
Garnett	Lofthus	Williams
Geer	Macdonald	Wipperman
Hagen	Main	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Pierce	Simpson
Gulack	Regan	

Messrs. Benson Gulack and Pierce being excused.

So the bill passed and the title was agreed to.

Mr. LaMoure moved

That the words "establishment and" be stricken out of section 4 of Senate Bill No. 107.

Which motion prevailed.

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 34, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	Plain
Brown	Jacobson	Robinson
Carroll	Johnson	Sharpe
Cashel	Kirkeide	Simpson
Clarke	LaMoure	Swenson
Cox	Lavayea	Talcott
Crane	Lewis	Taylor
Devlin	Little	Voss
Fox	Lofthus	Williams
Garnett	Macdonald	Wipperman
Hagen	Main	
Hale	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Gulack	McArthur
Geer	Pierce	Regan

Messrs. Benson, Gulack and Pierce being excused.

So the bill passed and the title was agreed to.

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 32, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	McLean
Brown	Herbrandson	Plain
Cashel	Jacobson	Robinson
Clarke	Johnson	Simpson
Cox	Kirkeide	Swenson
Crane	Lewis	Talcott
Devlin	Little	Taylor
Fox	Lofthus	Voss
Garnett	Macdonald	Williams
Geer	Main	Wipperman
Hagen	McArthur	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	LaMoure	Regan
Carroll	Lavayea	Sharpe
Gulack	Pierce	

Messrs. Benson, Gulack and Pierce being excused.

So the bill passed and the title was agreed to.

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 33, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hagen	McArthur
Brown	Hale	McLean
Carroll	Herbrandson	Plain
Cashel	Jacobson	Robinson
Clarke	Johnson	Simpson
Cox	Kirkeide	Swenson

Messrs.—
 Crane
 Devlin
 Fox
 Garnett
 Geer

Messrs.—
 LaMoure
 Lavayea
 Lewis
 Lofthus
 Macdonald

Messrs.—
 Talcott
 Taylor
 Voss
 Williams
 Wipperman

Absent and not voting:

Messrs.—
 Benson
 Gulack
 Little

Messrs.—
 Main
 Pierce

Messrs.—
 Regan
 Sharpe

Messrs. Benson, Gulack and Pierce being excused.

So the bill passed and the title was agreed to.

Mr. Taylor moved that

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.

Be re-referred to the committee on appropriations.

Which motion prevailed.

Senate Bill No. 87 was referred to committee on judiciary.

Mr. Little moved

That the rules be suspended and that House Bill No. 2 be placed on its third reading and final passage.

Which motion prevailed.

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 37, nays none, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—
 Bacon
 Brown
 Carroll
 Cashel
 Clarke
 Cox
 Crane
 Devlin
 Fox
 Garnett
 Geer
 Hagen
 Hale

Messrs.—
 Herbrandson
 Jacobson
 Johnson
 Kirkeide
 LaMoure
 Lavayea
 Lewis
 Little
 Lofthus
 Macdonald
 Main
 McArthur
 McLean

Messrs.—
 Plain
 Regan
 Robinson
 Sharpe
 Simpson
 Swenson
 Talcott
 Taylor
 Voss
 Williams
 Wipperman

Absent and not voting:

Messrs.—
 Benson

Messrs.—
 Gulack

Messrs.—
 Pierce

Messrs. Benson, Gulack and Pierce being excused.

So the bill passed and the title was agreed to.

THIRD READING OF SENATE BILLS.

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 on the final passage of the bill.

The roll being called there were ayes 37, nays none, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—

Bacon
Brown
Carroll
Cashel
Clarke
Cox
Crane
Devlin
Fox
Garnett
Geer
Hagen
Hale

Messrs.—

Herbrandson
Jacobson
Johnson
Kirkeide
LaMoure
Lavayea
Lewis
Little
Lofthus
Macdonald
Main
McArthur

Messrs.—

McLean
Plain
Regan
Robinson
Sharpe
Simpson
Swenson
Talcott
Taylor
Voss
Williams
Wipperman

Absent and not voting:

Messrs.—

Benson

Messrs.—

Gulack

Messrs.—

Pierce

Messrs. Benson, Gulack and Pierce being excused.

So the bill passed and the title was agreed to.

Minnie C. Budlong was sworn in by the president pro tem.

Mr. Little moved

That the senate do now adjourn,

Which motion prevailed, and

The senate adjourned.

R. M. TUTTLE,

Secretary.

THIRTY-SIXTH DAY

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 10, 1903.

The senate met at 2 o'clock p. m., pursuant to adjournment.

The president presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Benson, Gulack and Regan, who were excused.

REFERENCE OF THE JOURNAL.

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

Mr. President:

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 7, make the second head line on said page read "Introduction, first and second reading of senate bills."

On page 8, before the line "Senate Bill No. 129," insert "Mr. Lavayea introduced;" before the line "Senate Bill No. 130," insert "Mr. Crane introduced;" before the line, "Senate Bill 131," insert "Mr. Clarke introduced;" before the line, "Senate Bill 132," insert "Mr. Clark introduced."

On page 9, before the line, "Senate Bill No. 133," insert "Mr. Clark introduced;" before the line, "Senate Bill No. 134," insert "The committee on appropriations introduced;" before the line "Senate Bill No. 135," insert "The committee on appropriations introduced;" before the line, "Senate Bill No. 136," insert "The committee on appropriations introduced;" before the line, "Senate Bill No. 137," insert "Mr. LaMoure introduced;" before the line, "Senate Bill No. 138," insert "Mr. Robinson introduced;" before the line, "Senate Bill No. 139," insert "Mr. Herbrandson introduced;" on page 10, before the line, "Senate Bill No. 140," insert "The committee on state affairs introduced."

And when so amended recommend that the same be approved.

MAYNARD CRANE,
Acting Chairman.

The report was adopted.

REPORTS OF STANDING COMMITTEES.

The committee on judiciary made the following report :

Mr. President:

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 be amended as follows:

After the word "deeds" insert the words, "and clerk hire," in line 15 of Sec. 1, on page 2, of printed bill.

After the word "deeds" insert the words, "and clerk hire," in line 18 of Sec. 1, on page 2, of printed bill.

And when so amended recommend that the same do pass.

C. B. LITTLE.

Chairman.

Mr. Little moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on apportionment made the following report:

Mr. President:

Your committee on apportionment to whom was referred

Senate Bill No. 96,

A bill for an act to amend section 1 of chapter 143 of the session laws of 1901, relating to an act to define the senatorial and representative districts of North Dakota and prescribe the number of senators and representatives therein.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. D. BROWN,

Chairman.

Mr. Brown 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. President:

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:

That the word "special" be inserted after the word "annual," in line 6, of sub-division 16; and that the word "especially," in said line 6, of sub-division 16, be stricken out.

And when so amended recommend that the same do pass.

J. B. SHARPE,
Chairman.

Mr. Sharpe moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on counties made the following report:

Mr. President:

Your committee on counties 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.

M. JACOBSON,
Chairman.

Mr. Voss moved that

Senate Bill No. 74,

Be re-referred to committee on judiciary.

Which motion prevailed.

The committee on education made the following report:

Mr. President:

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 as follows:

Strike out the word "may" in line 8, Sec. 2, and insert the word "shall" in place thereof in engrossed bill.

And when so amended recommend that the same do pass.

H. E. LAVAYEA,
Chairman.

Mr. Lavayea 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. President :

Your committee on education to whom was referred

House Bill No. 73,

A concurrent resolution relating to the name of school for deaf and dumb.

Have had the same under consideration and recommend that the same do pass.

H. E. LAVAYEA,
Chairman.

The committee on judiciary made the following report:

Mr. President:

Your committee on judiciary 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:

Strike out the words "and twenty-five," in line 2, of Sec. 1, of printed bill.

Strike out the word "for" at the end of line 2, in Sec. 1.

Strike out all of line 3, in Sec. 1.

Strike out the words, "and his stenographic assistant," in lines 4 and 5, Sec. 1.

After the word "expenses," in line 6, insert the words, "such amount to be payable monthly without the filing of any itemized statement."

In line 2, of Sec. 2, strike out the words "five hundred."

Strike out all of section 4, and insert in lieu thereof the following: :

"Section 4. Whereas, an emergency exists, in that there is no provision of law providing for the payment of the necessary expenses of the judges of the supreme court, therefore this act shall take effect and be in force from and after its passage and approval."

And when so amended recommend the same do pass.

C. B. LITTLE,
Chairman.

Mr. Little 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. President:

Your committee on revision and correction of the journal of

he thirty-fifth day have carefully examined the same and recommend that the same be corrected as follows:

On page 14 strike out lines 7, 8, 9, 10 and 11 and insert in lieu thereof the following:

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.

And when so amended recommend that the same be approved.
MAYNARD CRANE,

Acting Chairman.

Mr. Crane moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. President:

Your committee on revision and correction of the journal of the thirty-third day, have carefully examined the same and find no corrections to make.

MAYNARD CRANE,

Acting Chairman.

The committee on education made the following report:

Mr. President:

Your committee on education to whom was referred

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.

Have had the same under consideration, and recommend that the same be amended as follows:

Strike out the title and insert the following:

"An act to amend and re-enact chapter 84, of the session laws 1901, relating to education."

And when so amended recommend the same do pass.

H. E. LAVAYEA,

Chairman.

Mr. Lavayea moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on warehousing, grain and grain grading made the following report.

Mr. President:

Your committee on warehousing, grain and grain grading 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,

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.

Have had the same under consideration and recommend that the same be amended as follows:

By striking out all after the word "cars," in line 10, of the printed bill up to the word "which" in line 12, of printed bill.

And when so amended recommend the same do pass.

F. S. TALCOTT,
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed, and

The report of the committee be adopted.

The committee on enrolled and engrossed bills made the following report :

Mr. President:

Your committee on enrolled and engrossed bills have examined 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.

And find the same correctly engrossed.

H. E. LAVAYEA,
Chairman.

Mr. Bacon moved

That the motion by which the report of the apportionment committee on Senate Bill No. 96 was adopted be reconsidered.

Which motion prevailed.

Mr. Bacon moved

That the consideration of the report on Senate Bill No. 96 be made special order, to be taken up immediately on return from the joint session with the House.

Which motion prevailed.

The courtesies of the floor were extended to the following :

Grant S. Hager, G. G. Thompson, H. W. Coe, P. M. Mattson, C. J. Stickney, Mayor Dinnie, W. B. Wood, J. A. Conniff, Geo. Stevens, C. W. Hutton, Mr. Bode, E. H. Kent, C. A. Hale, Mr. and Mrs. A. M. Beveridge and George E. Duis.

MESSAGE FROM THE HOUSE.

Mr. President:

I have the honor to transmit herewith the following

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 and 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 the house has passed and concurrence is requested.

Respectfully,

A. O. ANDERSON,

Chief Clerk.

Mr. Little moved

That the rules be suspended and that the senate concur in the concurrent resolution as read.

Which motion prevailed.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,

BISMARCK, NORTH DAKOTA,

February 10, 1903.

Mr. President:

I have the honor to inform the senate that the house has passed the concurrent resolution herewith transmitted providing that when the legislative assembly adjourns on Friday, the 13th inst., it shall stand adjourned until Friday, the 20th of February, 1903, and your favorable consideration thereof is requested,

A. O. ANDERSON,

Chief Clerk.

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

That when the house adjourns on Friday, Feb. 13, it shall stand adjourned until Friday, Feb. 20, 1903, at 2 o'clock p. m.

Mr. Talcott moved

That the senate concur in the above concurrent resolution.

Which motion prevailed.

The following message was received from the house:

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 4, 1903.

Mr. President:

I have the honor to transmit herewith the following concurrent resolution:

Introduced by Mr. McGahan.

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 the house has passed and your concurrence is requested.

A. O. ANDERSON,
Chief Clerk.

Mr. Little moved

That the senate do now concur in house concurrent resolution as above.

Which motion prevailed.

Mr. President:

I have the honor to return herewith

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 house has passed unchanged.

Also, to transmit herewith

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. 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.

Which the house has passed and your favorable consideration thereof is requested.

Respectfully,

A. O. ANDERSON,

Chief Clerk.

The committee on enrolled and engrossed bills made the following report:

Mr. President:

Your committee on enrolled and engrossed bills respectfully report that at the hour of 2:20 p. m. of this day

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 delivered to His Excellency, the Governor, for his approval.

Very respectfully,

H. E. LAVAYEA,

Chairman.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE CHAMBER,

BISMARCK, NORTH DAKOTA,

February 10, 1903.

To the senate:

Mr. President:

I have the honor to inform you that I have approved and filed with the honorable secretary of state

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.

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.

I have the honor to be,

Very respectfully,
FRANK WHITE,
Governor.

INTRODUCTION AND FIRST READING OF SENATE BILLS.

Mr. Simpson introduced

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 was read the first time.

Mr. Wipperman introduced

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.

Which was read the first time.

Mr. Hagen introduced

(by request)

Senate Bill No. 161,

A bill for an act to amend section 5577, of chapter 13 of the code of civil procedure of the Revised Codes of North Dakota, 1899.

Which was read the first time.

THIRD READING OF SENATE BILLS.

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 33, nays none, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	McArthur
Carroll	Jacobson	McLean
Cashel	Johnson	Plain
Cox	Kirkeide	Robinson
Crane	LaMoure	Sharpe
Devlin	Lavayea	Simpson
Fox	Lewis	Talcott
Garnett	Little	Taylor
Geer	Lofthus	Voss
Hagen	Macdonald	Williams
Hale	Main	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Gulack	Swenson
Brown	Regan	Pierce
Clarke		

Messrs. Benson, Gulack and Pierce being excused.

So the bill passed and the title was agreed to.

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 third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 32, nays 1, absent and not voting, 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	McLean
Carroll	Herbrandson	Plain
Cashel	Jacobson	Robinson
Clarke	Johnson	Sharpe
Cox	Kirkeide	Simpson
Crane	LaMoure	Talcott
Devlin	Lavayea	Taylor
Fox	Lewis	Voss
Garnett	Little	Williams
Geer	Main	Wipperman
Hagen	McArthur	

Mr. McDonald voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Lofthus	Swenson
Brown	Pierce	
Gulack	Regan	

Messrs. Benson, Gulack, Pierce and Regan 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.

The question being upon the final passage of the bill.

The roll was called and there were ayes 24, nays 10, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Johnson	McArthur
Cashel	Kirkeide	McLean
Cox	Lewis	Plain
Crane	Lofthus	Robinson
Fox	LaMoure	Simpson
Garnett	Lavayea	Swenson
Hale	Macdonald	Taylor
Herbrandson	Main	Williams

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Hagen	Talcott
Carroll	Jacobson	Voss
Devlin	Sharpe	Wipperman
Geer		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Gulack	Regan
Clarke	Little	Pierce

Messrs. Benson, Gulack, Pierce and Regan being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 76,

A bill for an act to prohibit the use and manufacture of cannon-fire crackers.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 30, nays 5, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	McArthur
Brown	Jacobson	McLean
Carroll	Johnson	Plain
Cashel	Kirkeide	Robinson
Cox	Lavayea	Sharpe
Crane	Lewis	Swenson
Devlin	Little	Talcott
Geer	Lofthus	Taylor
Hale	Macdonald	Williams
Hagen	Main	Wipperman

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Clarke	LaMoure	Voss
Garnett	Simpson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Gulack	Regan
Fox	Pierce	

Messrs. Benson, Gulack, Pierce and Regan 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 section 2355 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 36, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	Main
Brown	Herbrandson	McArthur
Carroll	Jacobson	McLean
Cashel	Johnson	Plain
Clarke	Kirkeide	Robinson
Cox	LaMoure	Sharpe
Crane	Lavayea	Swenson
Devlin	Lewis	Talcott
Garnett	Little	Taylor
Geer	Lofthus	Voss
Hagen	Macdonald	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Gulack	Regan
Fox	Pierce	Simpson
		Williams

Messrs. Benson, Gulack Pierce and Regan being excused.

So the bill passed and the title was agreed to.

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 36, nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	McArthur
Brown	Herbrandson	McLean
Carroll	Jacobson	Plain
Cashel	Johnson	Robinson
Clarke	Kirkeide	Sharpe
Cox	LaMoure	Simpson
Crane	Lavayea	Swenson
Devlin	Lewis	Talcott
Fox	Little	Taylor
Garnett	Lofthus	Voss
Geer	Macdonald	Williams
Hagen	Main	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Pierce	Regan
Gulack		

Messrs. Benson, Gulack Pierce and Regan being excused.

So the bill 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.

Which was read the first time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 33, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	McArthur
Carroll	Herbrandson	McLean
Cashel	Jacobson	Plain
Clarke	Johnson	Robinson
Cox	Kirkeide	Swenson
Crane	Lavayea	Talcott
Devlin	Lewis	Taylor
Fox	Little	Voss
Garnett	Lofthus	Williams
Geer	Macdonald	Wipperman
Hagen	Main	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brown	LaMoure	Sharpe
Benson	Pierce	Simpson
Gulack	Regan	

Messrs. Benson, Gulack Pierce and Regan being excused.

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 32, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Herbrandson	Plain
Carroll	Jacobson	Robinson
Cashel	Johnson	Sharpe
Clarke	Kirkeide	Simpson
Crane	Lavayea	Swenson
Devlin	Little	Talcott
Fox	Lofthus	Taylor
Garnett	Macdonald	Voss
Geer	Main	Williams
Hagen	McArthur	Wipperman
Hale	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Gulack	Pierce
Benson	LaMoure	Regan
Cox	Lewis	

Messrs. Benson, Gulack, Pierce and Regan being excused.

So the bill passed and the title was agreed to.

The secretary announced that the president was about to sign Senate Bill No. 1, and was signed by the president in the presence of the senate.

MESSAGE FROM THE HOUSE.

Mr. President:

I have the honor to inform you that the house is now in readiness to receive the senate in joint session to hear the representative from the centennial oriental exposition, to be held in Portland, Ore., and the house has reserved seats for the senators in the center of the house.

A. O. ANDERSON,
Chief Clerk.

Mr. Little moved

That the senate do now proceed to the house to meet in joint session.

Which motion prevailed.

The senate convened at 3:20 o'clock.

Mr. Bacon addressed the senate on the adoption of the report of the committee on apportionment on Senate Bill 96, responded to by Mr. Lavayea.

The roll was then called on the adoption of the report of the committee on Senate Bill No. 96, being as follows .

The roll was called and there were ayes 20, nays 10, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Kirkeide	Plain
Cashel	Lavayea	Swenson
Clarke	Lofthus	Talcott
Cox	Macdonald	Taylor
Hagen	Main	Williams
Hale	McArthur	Wipperman
Herbrandson	McLean	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Fox	Simpson
Carroll	Geer	Voss
Crane	Robinson	
Devlin	Sharpe	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Johnson	Peirce
Garnett	LaMoure	Regan
Gulack	Lewis	
Jacobson	Little	

Messrs. Benson, Gulack, Peirce and Regan being excused.

So the report of the committee was adopted and Senate Bill No. 96 was indefinitely postponed.

THIRD READING OF HOUSE BILLS.

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 31, nays none, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	Robinson
Brown	Herbrandson	Sharpe
Carroll	Kirkeide	Simpson
Cashel	Lavayea	Swenson
Clarke	Little	Talcott
Cox	Lofthus	Taylor

Messrs.—
 Crane
 Devlin
 Fox
 Geer
 Hagen

Messrs.—
 Macdonald
 Main
 McArthur
 McLean
 Plain

Messrs.—
 Voss
 Williams
 Wipperman

Absent and not voting:

Messrs.—
 Benson
 Garnett
 Gulack

Messrs.—
 Jacobson
 Johnson
 LaMoure

Messrs.—
 Lewis
 Pierce
 Regan

Messrs. Benson, Gulack, Pierce and Regan being excused.

So the bill passed and the title was agreed to.

Mr. Bacon moved

That the vote by which House Bill No. 16 was passed be reconsidered, and the motion to reconsider be laid upon the table.

Which motion prevailed.

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 third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 30, nays none, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—
 Bacon
 Carroll
 Cashel
 Clarke
 Cox
 Crane
 Devlin
 Fox
 Geer
 Hagen

Messrs.—
 Hale
 Herbrandson
 Kirkeide
 LaMoure
 Lavayea
 Little
 Lofthus
 Macdonald
 Main
 McArthur

Messrs.—
 McLean
 Plain
 Robinson
 Sharpe
 Simpson
 Swenson
 Talcott
 Voss
 Williams
 Wipperman

Absent and not voting:

Messrs.—
 Benson
 Brown
 Garnett
 Gulack

Messrs.—
 Jacobson
 Johnson
 Lewis

Messrs.—
 Pierce
 Regan
 Taylor

Messrs. Benson, Gulack and Pierce and Regan being excused.

So the bill passed and the title was agreed to.

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 32, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	Plain
Brown	Herbrandson	Robinson
Carroll	Kirkeide	Sharpe
Cashel	LaMoure	Simpson
Clarke	Lavayea	Swenson
Cox	Little	Talcott
Crane	Lofthus	Taylor
Devlin	Macdonald	Voss
Fox	Main	Williams
Geer	McArthur	Wipperman
Hagen	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Jacobson	Pierce
Garnett	Johnson	Regan
Gulack	Lewis	

Messrs. Benson, Gulack, Pierce and Regan being excused.

So the bill passed and the title was agreed to.

Mr. Lavayea moved

That the senate do now adjourn.

Which motion prevailed, and

The senate adjourned.

R. M. TUTTLE,

Secretary.

THIRTY-SEVENTH DAY

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA.
February 11, 1903.

The senate met at 2 o'clock p. m., pursuant to adjournment.

The president presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Benson, Gulack, Pierce and Regan, who were excused.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mayville, N. D., Feb. 10, 1903.

Hon. W. H. Robinson, Capital, Bismarck, N. D.

Honorable Sir:—By unanimous vote of the congregation of the Methodist church on Sunday, the 8th, we would ask you to vote and work for bills as follows:

“To prohibit the sale and manufacture of cigarettes and raise the age of consent for girls from 16 to 18 years.”

Respectfully yours,

W. T. MACLEOD,
Pastor M. E. Church.

Mr. Lavayea presented the following petition:

Grand Forks, N. D., Feb. 9, 1903.

To the Members of the Seventh Legislative Assembly, Bismarck, N. D.:

Honorable Gentlemen:—We, the undesigned citizens of North Dakota, believing that our homes, our business and the commercial interests of our state are more secure under the present prohibition law than they could possibly be, under any system of license; do hereby implore you to your utmost to defeat any resubmission measure that may be brought before the present legislature.

LERROY H CARTER,
And Seventy-five Others.

 REPORTS OF STANDING COMMITTEES.

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

Mr. President:

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:

That line 13 of page 3, be corrected by striking out the words "word 'special'" and insert in lieu thereof "words 'or special.'"

On page 2 of the 35th day, strike out "the presiding" in line 17, and insert in lieu thereof the word "residing."

And when so amended recommend that the same be approved.

MAYNARD CRANE,
Acting Chairman.

The committee on judiciary made the following report:

Mr. President:

Your committee on judiciary 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 be amended as follows:

By adding to end of first section the following:

"Provided, however, that no unorganized county mentioned in the petition for the organization of such proposed contiguous unorganized counties shall become a part thereof, unless a majority of the qualified electors residing within such unorganized county shall by a majority vote so decide at the election hereinafter provided for."

And when so amended recommend the same do pass.

C. B. LITTLE,
Chairman.

Mr. Little moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on public health made the following report:

Mr. President:

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 be amended as follows:

In line 34 of the printed bill, after the word "court," strike out the words "for one-half of."

And when so amended recommend the same do pass.

J. D. TAYLOR,

Chairman.

Mr. Taylor moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on public health made the following report:

Mr. President:

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:

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."

And when so amended recommend the same do pass.

J. D. TAYLOR,

Chairman.

Mr. Taylor 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. President:

Your committee on education to whom was referred
Senate Bill No. 19,

A bill for an act to amend section 172 of the Revised Codes relating to the investment of the permanent school fund.

Have had the same under consideration and recommend that the same do pass.

Also,
Senate Bill No. 45,

A bill for an act to amend section 653 of the Revised Codes of 1899, relating to qualifications of county superintendent of schools.

Have had the same under consideration and recommend that the same do pass.

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.

Have had the same under consideration and recommend that the same be amended as follows:

Amend the 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."

And when so amended recommend the same do pass.

H. E. LAVAYEA,
Chairman.

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

The committee on enrolled and engrossed bills made the following report:

Mr. President:

Your committee on enrolled and engrossed bills have examined
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.

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. 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.

And find the same correctly engrossed.

H. E. LAVAYEA,

Chairman.

The joint committee on educational institutions made the following report:

Mr. President:

Your committee on 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 be amended as follows:

Add to the bill the following section:

"Section 3. The state treasurer is hereby authorized and required to retain out of the interest and income fund of said Deaf and Dumb asylum each year, first a sufficient amount to pay the annual interest upon the bonds issued for the benefit of the Deaf and Dumb asylum, and second for a sinking fund to be used to pay off the bonds as they mature, an amount equal to one-twentieth of the total of the bonds issued for the benefit of the Deaf and Dumb asylum. He is further authorized and required to pay over and transfer quarterly to the maintenance fund of the Deaf and Dumb asylum any and all balances there may be remaining in said interest and income fund over and above the reservations above provided for."

And when so amended recommend that the same do pass.

HENRY HALE,

Chairman.

Mr. Hale 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. President:

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 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 inspec-
tion and analysis of foods, charging the North Dakota Govern-
ment 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 be amended as follows:

Strike out all of sections 4, 5, 6, 7, 8, 9, 10, 11, of printed bill, and
insert in lieu thereof the following:

Sec. 4. Duty of State's Attorney.) It shall be the duty of the state's
attorney to prosecute all persons violating any of the above provisions of
this act when the evidence thereof has been presented by the North Da-
kota Government Agricultural Experiment Station as provided for in sec-
tions 7 and 8 of this act.

Sec. 5. The North Dakota Experiment Station to Inspect and Analyze
Foods and Beverages.) The North Dakota Government Agricultural Ex-
periment Station shall make analysis of food products and beverages on
sale in North Dakota suspected of being adulterated, at such times and
places and to such extent as it may determine, and may appoint such
agent or agents as it may deem necessary, and the sheriffs of the re-
spective counties of the state are hereby appointed and constituted agents
for the enforcement of this act, and agent or agents and sheriffs shall
have free access, at all reasonable hours, for the purpose of examining
into any place wherein it is suspected any article of food or beverage
adulterated with any deleterious or foreign ingredient or ingredients ex-
ist, and such agent, agents or sheriffs upon tendering the market price
of said article may take from any person, firm or corporation samples of
any articles suspected of being adulterated as aforesaid, and the said sta-
tion may adopt or fix standards of purity, quality or strength when such
standards are not specified or fixed by statute.

Sec. 6. Citizen May Send Sample of Food or Beverage for Analysis.)
Any citizen of the state may, by pre-paying the transportation charges,
send any article of manufactured food or food product, or beverage, in the

original package, to said station to be analyzed. And such article if not before analyzed shall be analyzed and included in the next report of the station as provided for in section 9 of this act.

Sec. 7. Facts How Transmitted.) Whenever said station shall find by its analysis that adulterated food products have been on sale in this state, it shall forthwith transmit the facts so found to the state's attorney of the county in which said adulterated food product was found.

Sec. 8. Certificates as Evidence.) Every certificate duly signed and acknowledged by the chemist of the North Dakota Government Agricultural Experiment Station at Fargo relating to the analysis of any food, food products or beverage shall be presumptive evidence of the facts therein stated.

Sec. 9. The said station shall make an annual report to the governor upon adulterated food products, and said report may be included in the report which the said station is already authorized by law to make to the governor, and in June and December of each year the said station shall furnish to the auditor of each county in the state a certified list of all adulterated foods, food products and beverages as found by such analysis, showing the name and brand of the article, the manufacturer and the name of the injurious adulterant. The county auditor of each county shall cause the said list to be published in the official paper of such county. Said publication shall be made in July and January of each year and shall continue for two successive issues to be paid for by such county at one-half rate allowed by law for publishing the proceedings of the board of county commissioners.

Sec. 10. Duty of Sheriff on Presentation of Complaint of Violation of This Act. Compensation.) It is hereby made the duty of the sheriff of any county of this state, on presentation to him of a verified complaint of the violation of any provision of this act, to at once proceed to obtain by purchase a sample of the adulterated food, food product or beverage complained of, and forward the same to the said station for analysis, marking the package or wrapper containing the same for identification with the name of the person from whom procured, the date on which the same was procured and the substance therein contained. For his services hereunder the said sheriff shall be allowed the same fees for travel as are now allowed by law to sheriffs on service of criminal process, together with such compensation as may be by the county commissioners of his county deemed reasonable, and all amounts expended by him in procuring and transmitting the said samples, which fees and amount expended shall be audited and allowed by the said commissioners and paid by his said county as other bills of said sheriff.

Sec. 11. Appropriation.) To carry out the provisions of this act, out of any money in the state treasury, not otherwise appropriated, the sum of fifteen hundred dollars is hereby annually appropriated, to the said North Dakota Government Agricultural Experiment Station, which sum shall be paid in equal quarterly installments to the treasurer of the board of trustees of said station, upon the order of the state auditor who is hereby directed to draw his order for the same.

Sec. 12. No Action in Court.) No action shall be maintained in any court of this state on account of any sale or other contract made in violation of this act.

Sec. 13. Repeal.) All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

And when so amended recommend the same do pass.

A. B. COX,
Chairman.

Mr. Cox 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. President:

Your committee on state affairs 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 do pass.

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.

Have had the same under consideration and recommend that the same do pass.

A. B. COX,
Chairman.

The committee on railroads made the following report:

Mr. President:

Your committee on railroads to whom was referred

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.

R. S. LEWIS,
Chairman.

The committee on elections made the following report:

Mr. President:

Your committee on elections to whom was referred

Senate Bill No. 75,

A bill for an act providing for a system of primary elections for nominating candidates for election by popular vote.

Have had the same under consideration and recommend that the same be amended as follows:

In first line, section 1, printed bill, strike out the word "September," and insert the word "July."

In line 3, section 16, printed bill, strike out the word "September," and insert the word "July."

And when so amended recommend that the same do pass.

HENRY HALE,
Chairman.

The committee on engrossed bills made the following report:
Mr. President:

Your committee on enrolled and engrossed bill have examined 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.

H. E. LAVAYEA,
Chairman.

Mr. Hale Moved

That the report of the committee on House Bill No. 75 be made a special order for Friday afternoon at 2:30.

Which motion prevailed.

The courtesy of the floor was extended to the following: W. C. Taylor, T. M. Hancock, J. R. Cooper, T. R. Shaw, W. L. Brown, S. H. Bratton, Hon. D. T. Bangs, Alex McLean, Mr. and Mrs. Ed. Smith, Mr. and Mrs. E. M. Crary, Mrs. S. M. Small, Alex Wright, H. H. Perry, A. L. Biggs, R. H. Owen, Dr. A. Teal, John Kennedy, G. A. Herolz, J. A. Lemery.

Mr. Crane presented 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 lands can be purchased,

Mr. LaMoure moved

The adoption of the concurrent resolution.

Which motion prevailed.

Mr. Taylor moved

That the senate do now concur in house amendments to 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.

The question being upon the adoption of the house amendment
The roll was called and there were ayes 32, nays none, absent
and not voting 8.

Those who voted in the affirmative were

Messrs.—	Messrs.—	Messrs.—
Bacon	Hagen	Main
Brown	Hale	McArthur
Carroll	Herbrandson	McLean
Cashel	Jacobson	Plain
Clarke	Johnson	Robinson
Cox	Kirkeide	Simpson
Crane	Lavayea	Swenson
Devlin	Lewis	Taylor
Fox	Little	Voss
Garnett	Lofthus	Wipperman
Geer	Macdonald	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Pierce	Talcott
Gulack	Regan	Williams
LaMoure	Sharpe	

Messrs. Benson, Gulack Pierce and Regan being excused.

So the senate concurred in the house amendments.

Mr. Lavayea moved

That House Bill No. 35 be referred to committee on education.
Which motion prevailed.

Mr. Little moved

That all house bills and senate bills on the desk be given their
first and second reading.

Which motion prevailed.

INTRODUCTION AND FIRST AND SECOND READING OF SENATE BILLS.

Mr. Plain introduced

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 committee on judiciary.

Mr. Crane introduced

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 penalty for violations of the provisions
of this act.

Was read the first and second times, and

Referred to the committee on railroads.

Mr Voss introduced

Senate Bill No. 164,

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 Lewis & Clark Centennial 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 first and second times, and

Referred to the committee on appropriations.

Mr. Main introduced

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 judiciary.

Mr. Talcott introduced

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 committee on highways and bridges.

Mr Talcott introduced

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 appropriations.

Mr. McArthur introduced

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 the committee on temperance.

Mr. Johnson introduced

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 committee on state affairs.

Mr. Johnson introduced

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 first and second times, and
Referred to the committee on judiciary.

Mr. Cox introduced
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 the committee on appropriations.

Mr. LaMoure introduced
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 appropriations.

FIRST AND SECOND READING OF HOUSE BILLS.

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 first and second times, and
Referred to the committee on judiciary.

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 first and second times, and
Referred to the committee on public health.

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 first and second times, and
Referred to the committee on agriculture.

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 first and second times, and
Referred to the committee on municipal corporations.

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 first and second times, and
Referred to the committee on judiciary.

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 first and second times, and
Referred to the committee on judiciary.

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 first and second times, and
Referred to the committee on judiciary.

House Bill No. 94,

A bill for an act to provide for the adoption of children.

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

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 first and second times, and
Referred to the committee on judiciary.

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 first and second times, and
Referred to the committee on judiciary.

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 first and second times, and
Referred to the committee on judiciary.

House Bill No. 143,

A bill for an act to regulate the importation of dependent children.

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

THIRD 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 third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 32, nays 2, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	McLean
Bacon	Herbrandson	Plain
Brown	Jacobson	Robinson
Carroll	Johnson	Sharpe
Cashel	Kirkeide	Simpson
Clarke	LaMoure	Swenson
Cox	Lavayea	Talcott
Crane	Lewis	Taylor
Devlin	Little	Voss
Garnett	Lofthus	Williams
Hagen	Macdonald	
Hale	Main	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Geer	Pierce
Fox	Gulack	Regan

Messrs. McArthur and Wipperman voting in the negative.

Messrs. Benson, Gulack, Pierce and Regan 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 31, nays none, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	McArthur
Brown	Jacobson	McLean
Carroll	Johnson	Plain
Cashel	Kirkeide	Robinson
Clarke	Lavayea	Simpson
Cox	Lewis	Swenson
Crane	Little	Talcott
Devlin	Lofthus	Taylor
Garnett	Macdonald	Voss
Hagen	Main	Williams
Hale		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Gulack	Regan
Fox	LaMoure	Sharpe
Geer	Pierce	Wipperman

Messrs. Benson, Gulack, Pierce and Regan being excused.

So the bill passed and the title was agreed to.

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 third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 34, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	McLean
Brown	Johnson	Plain
Carroll	Kirkeide	Robinson
Cashel	LaMoure	Sharpe
Clarke	Lavayea	Simpson
Cox	Lewis	Swenson
Crane	Little	Talcott
Devlin	Lofthus	Taylor
Garnett	Macdonald	Voss
Geer	Main	Williams
Hagen	McArthur	Wipperman
Hale		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Gulack	Regan
Fox	Pierce	Jacobson

So the bill passed and the title was agreed to.

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 29, nays none, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Herbrandson	Plain
Carroll	Johnson	Robinson
Cashel	Kirkeide	Sharpe
Cox	LaMoure	Swenson
Crane	Lewis	Talcott
Devlin	Lofthus	Taylor
Garnett	Macdonald	Voss
Geer	Main	Williams
Hagen	McArthur	Wipperman
Hale	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Gulack	Pierce
Benson	Jacobson	Regan
Clarke	Lavaya	Simpson
Fox	Little	

Messrs. Benson, Gulack, Pierce and Regan being excused.

So the bill passed and the title was agreed to.

Mr. Lavaya moved

That Senate Bill No. 144 be placed on its third reading and final passage.

Which motion prevailed.

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 32, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Herbrandson	Plain
Carroll	Johnson	Robinson
Cashel	Kirkeide	Sharpe
Clarke	LaMoure	Simpson
Cox	Lavaya	Swenson
Crane	Little	Talcott
Devlin	Lofthus	Taylor
Garnett	Macdonald	Voss
Geer	Main	Williams
Hagen	McArthur	Wipperman
Hale	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Gulack	Pierce
Benson	Jacobson	Regan
Fox	Lewis	

Messrs. Benson, Gulack, Pierce and Regan being excused.

So the bill passed and the title was agreed to.

Mr. Little moved

That Senate Bill No. 74 be placed on its third reading and final passage.

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 33 nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Herbrandson	Sharpe
Carroll	Johnson	Plain
Cashel	Kirkeide	Robinson
Clarke	LaMoure	Simpson
Cox	Lavayea	Swenson
Crane	Lewis	Talcott
Devlin	Lofthus	Taylor
Garnett	Macdonald	Voss
Geer	Main	Williams
Hagen	McArthur	Wipperman
Hale	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Gulack	Pierce
Benson	Jacobson	Regan
Fox	Little	

Messrs. Benson, Gulack, Pierce and Regan being excused.

So the bill passed and the title was agreed to.

Mr. Simpson moved,

That the vote by which Senate Bill No. 74 was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Lavayea moved

That the vote by which Senate Bill No. 144 was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Hale moved

That the rules be suspended and that Senate Bill No. 151 be place on its third reading and final passage.

Which motion 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 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 26, nays none, absent and not voting 14.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Carroll	Johnson	Robinson
Cashel	Kirkeide	Simpson
Clarke	Lavayea	Swenson
Devlin	Lewis	Talcott
Garnett	Lofthus	Taylor
Geer	Macdonald	Voss
Hagen	Main	Williams
Hale	McLean	Wipperman
Herbrandson	Plain	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Fox	McArthur
Benson	Gulack	Pierce
Brown	Jacobson	Regan
Cox	LaMoure	Sharpe
Crane	Little	

Messrs. Benson, Gulack, Pierce and Regan being excused.

So the bill passed and the title was agreed to.

THIRD READING OF HOUSE BILLS.

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 26, nays none, absent and not voting 14.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Carroll	Johnson	Plain
Cashel	Kirkeide	Robinson
Clarke	Lavayea	Swenson
Crane	Lewis	Talcott
Devlin	Lofthus	Taylor
Geer	Macdonald	Voss
Hagen	Main	Williams
Hale	McArthur	Wipperman
Herbrandson	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Garnett	Pierce
Benson	Gulack	Regan
Brown	Jacobson	Sharpe
Cox	LaMoure	Simpson
Fox	Little	

Messrs. Benson, Gulack, Pierce and Regan 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 29, nays none, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	McLean
Carroll	Johnson	Plain
Cashel	Kirkeide	Robinson
Clarke	Lavayea	Swenson
Cox	Lewis	Talcott
Crane	Little	Taylor
Devlin	Lofthus	Voss
Geer	Macdonald	Williams
Hagen	Main	Wipperman
Hale	McArthur	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Gulack	Regan
Brown	Jacobson	Sharpe
Fox	LaMoure	Simpson
Garnett	Pierce	

Messrs. Benson, Gulack, Pierce and Regan 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 25, nays 2, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	Robinson
Carroll	Jacobson	Swenson
Cashel	Johnson	Talcott
Clarke	Kirkeide	Taylor
Cox	Lavayea	Voss
Crane	Little	Williams
Devlin	Macdonald	Wipperman
Geer	McLean	
Hagen	Plain	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	LaMoure	Regan
Brown	Lewis	Sharpe
Fox	Main	Simpson
Garnett	McArthur	
Gulack	Pierce	

Messrs. Herbrandson and Lofthus voting in the negative.

Messrs. Benson, Gulack, Pierce and Regan being excused.

So the bill passed and the title was agreed to.

Mr. Little moved

That the reconsideration of the motion of Mr. Bacon regarding the reapportionment bill found on page 7 of the thirty-sixth day be expunged from the records.

Which motion prevailed.

MESSAGE FROM THE HOUSE.

The following message was received from the house:

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 11, 1903.

Mr. President:

I have the honor to return 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 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. 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.

Which the house has passed unchanged.

Also,

Transmit 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.

Also,

House Bill No. 94,

A bill for an act to provide for the adoption of 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. 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. 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. 143,

A bill for an act to regulate the importation of dependent children.

Which the house has passed and your favorable consideration thereof is requested,

Also,

I have the honor to transmit herewith

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 house has passed with the following amendments:

Amend the title 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, 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 your concurrence in such amendments and the passage of the bill as amended is requested.

Also,

To inform the senate that the house ordered the bill re-engrossed as amended and passed the re-engrossed bill. The original and re-engrossed bills are herewith returned.

A. O. ANDERSON,

Chief Clerk.

The secretary announced that the president 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.

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.

And the president signed the same in the presence of the senate.

Mr. Little moved

That the senate do now adjourn,

Which motion prevailed, and

The senate adjourned.

R. M. TUTTLE,

Secretary.

THIRTY-EIGHTH DAY

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 12, 1903.

The senate met at 1 o'clock p. m. pursuant to adjournment.
The president pro tem presiding.
Prayer by the chaplain.

MESSAGE FROM THE HOUSE.

The following message was received from the house:

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 12, 1903.

Mr. President:

I have the honor to inform you that the house is now ready to receive the senate in joint session for the purpose of holding services and listen to addresses to be rendered by the Hon. Judge J. M. Cochrane and Father Conaty of Grand Forks, in the honor of the anniversary of the birth of Abraham Lincoln, and that seats have been reserved for the senators in the center of the house.

A. O. ANDERSON,
Chief Clerk.

The senate proceeded to the house of representatives to the joint session.

After the joint session the senators returned to the senate chamber.

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

Resolved, That the orations of Hon. John M. Cochrane and Rev. Father Conaty, delivered this day before the joint assembly, be published at length in the journal of the senate as soon as the same can be transcribed by the stenographer.

The resolution was adopted.

Mr. Little moved

That the senate do now adjourn,

Which motion prevailed, and

The senate adjourned.

R. M. TUTTLE,
Secretary.

THIRTY-NINTH DAY

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 13, 1903.

The senate met at 2 o'clock p. m. pursuant to adjournment.

The president presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Benson, Fox, Devlin, Lav-
ayea, Main, Pierce, Plain, Regan, and Robinson who were excused.

PETITIONS AND COMMUNICATIONS.

Garske, N. D., Jan. 28, 1903.

To the Hon. Messrs. Henry Hale, George W. H. Davis, Charles H. Baker,
H. R. Aslakson:

Gentlemen: We, the undersigned stockholders and owners of rail-
roads in Ramsey county, do respectfully submit that House Bill No. 17,
introduced at this session is unfair and unjust to us in holding us liable
for injuries caused by accidents over which we cannot possibly have con-
trol, and if passed, would be a source of great loss to us. We therefore
petition you to vote and use all your influence against the passage of said
bill.

ALBERT SWENSON,
And Thirty Others.

Rolla, N. D., Feb. 9, 1903.

Hon. William Clarke, Bismarck, N. D:

Dear Sir: At the regular meeting of the Rollette County Enforcement
League held at Rolla, Feb. 2, 1903, the following resolution was unan-
imously adopted:

Resolved, That it is the sense of this league that the bills now be-
fore the legislature of this state relating to the repeal of druggist per-
mits; 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 eighteen years,
should become laws.

The president and secretary of said league were instructed to forward

copies of this resolution to the senator and representatives of said county and urge their earnest support for the passage of the above-mentioned bills.

Yours very truly.

J. A. HAIG,
President.

FRANK HESKETH,
Secretary.

Dickinson, N. D., Feb. 12, 1903.

Hon. L. A. Simpson, Bismarck:

Dear Sir: At a largely attended meeting in the Congregational church of this place on last Sunday evening, Feb. 8, said congregation by unanimous vote, expressed themselves in favor of the passage, at the present session of the state legislature, of two measures now pending before your body, viz.:

1. The anti-cigarette bill, prohibiting the manufacture and sale of cigarette and cigarette paper in North Dakota, introduced in the house by Mr. McRae, referred to the committee on state affairs.
2. The bill to raise the age of consent to 18 years.

I am requested for and in behalf of this meeting to communicate this action to you and the other delegates from this district, and urge you to use your votes and great influence for the passage of the above measure. Will you please communicate this request to all your colleagues from this district and oblige yours truly,

H. V. ROMINGER.

REFERENCE OF THE JOURNAL.

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

Mr. President:

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

On page 3, change "House Bill No. 77" with title thereof 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."

On page 8, strike out "House Bill No. 148," with title thereof and insert in lieu thereof:

"Senate Bill No. 148,

"A bill for an act to prohibit the sale or gift, and use by minors under the age of fifteen years of firearms, shells, etc., and providing penalties for violations hereof."

And when so amended recommend that the same be approved.

MAYNARD CRANE,
Acting Chairman.

Mr. Crane 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. President:

Your committee on judiciary to whom was referred
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.

Have had the same under consideration and recommend that the same do pass.

Also

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 be amended as follows:

By striking out section 1 of the printed bill, and inserting in lieu thereof the following:

"Section 1. Each judge of the district court shall, during his present term of office, receive the sum of five hundred dollars per annum, for the purpose of defraying the personal expenses of such judge when away from home in the discharge of the duties pertaining to his office and for other and necessary expenses, such amount to be payable monthly without the filing of any itemized statement."

Also by striking out the words "five hundred" in line 2 of section 2.

Also by striking out section 4 of said bill, and inserting in lieu thereof the following:

"Sec. 4. Whereas, an emergency exists in that there is no provision of law providing for the payment of the necessary expenses of judges of the district courts, therefore this act shall take effect and be in force from and after its passage and approval."

And when so amended recommend the same do pass.

C. B. LITTLE,
Chairman.

Mr. Little 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. President:

Your committee on judiciary to whom was referred

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 be amended as follows:

In line 3 of title in printed bill strike out the words "appeals, motions and hearings in the supreme court," and insert in lieu thereof the following, "procedure therein."

And when so amended recommend the same do pass.

C. B. LITTLE,
Chairman.

Mr. Little moved

Which motion prevailed, and

That the report be adopted.

The report of the committee was adopted.

The committee on judiciary made the following report:

Mr. President:

Your committee on judiciary to whom was referred

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 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. 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. 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.

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 do pass.

C. B. LITTLE,
Chairman.

Mr. President:

A minority of your committee on elections to whom was referred Senate Bill No. 75, respectfully dissent from the favorable recommendation of your committee that said bill do pass, as and grounds for their objections to the passage of said measure, state as follows:

That in no state in the union is the principle applied to all officers; that in the state of Minnesota it is a measure that has been in use but for one period and may safely be called in the experimental stage, and in said state it applies to members of congress, candidates for the legislature, county and city officers; that the workings of said law of Minnesota, as shown by newspaper reports and observations of a minority of your committee, is as yet far from satisfactory to a large number of the electors of that state; that it is the firm conviction of a minority of your committee that so radical an innovation in our present system of selecting candidates for public office should be adopted with extreme caution and the workings of the measure brought down to affect as yet but one branch of our public officials, namely; County officers; that if the measure for the selection of county officers should prove a success it is very easy to enlarge the scope of its operation and include legislative candidates, judicial districts and state officers.

Your committee, as represented by this minority, believe that wise citizenship require that striking innovations in the electoral franchise, as represented by the primary election idea, should be adopted with great caution and only after mature deliberation and practical operation in the state. They cite that our present ballot system is the outgrowth of a long period of years of amendments and changes in the system that had prevailed for so long a period that experience has shown this body and the entire citizenship of our state that extreme changes are not wise or for the best interests of our people; that by striking out that feature of the proposed bill which takes in candidates for legislative positions and confining its operations for a period to county officers would give the measure a fair trial, a trial in which the voter could familiarize himself with the same. They respectfully suggest that it is very easy to increase from a small beginning, and if it is shown that the principle is the correct one, the Ninth legislative assembly can make such amendment, and this after the electors of the state have had a chance to observe the workings of the law in the selection of one branch of our official servants.

Therefore your committee, as represented by this minority, respectfully recommend that said bill be recommitted to the committee, with instructions to report the measure to this body, making such changes as may be necessary, so that for the ensuing two years the proposed statute shall be operative only in the selection of county officers.

JUDSON LaMOURE,
WILLIAM CLARKE,
G. O. GULACK.

The committee on enrolled and engrossed bills made the following report:

Mr. President:

Your committee on enrolled and engrossed bills have examined 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 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.

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. 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. 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.

And find the same correctly enrolled.

Also,

Mr. President:

Your committee on enrolled and engrossed bills have examined 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. 75,

A bill for an act providing for a system of primary elections for nominating candidates for election by popular vote.

Also,

Senate Bill No. 45,

A bill for an act to amend section 653 of the Revised Codes of 1899, relating to qualifications of county superintendent of schools.

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. 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.

Also,

Senate Bill No. 19,

A bill for an act to amend section 172 of the Revised Codes relating to the investment of the permanent school fund.

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.

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. 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.

And find the same correctly engrossed.

HENRY HALE,
Chairman.

Mr. Lewis moved

That all senate bills be placed on their first and second reading and reference.

Which motion prevailed.

INTRODUCTION AND FIRST AND SECOND READING OF SENATE BILLS.

Mr. Cashel introduced
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.

Which was read the first and second times, and
Referred to the committee on education.

Mr. Lewis introduced
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.

Which was read the first and second times, and
Referred to the committee on cities and municipal corporation.

Mr. Herbrandson introduced
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 was read the first and second times, and
Referred to the committee on state affairs.

Mr. Little introduced
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.

Which was read the first and second times, and
Referred to the committee on state affairs.

Mr. Little introduced
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.

Which was read the first and second times, and
Referred to the committee on judiciary.

Mr. Little introduced
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.

Which was read the first and second times, and
Referred to the committee on judiciary.

Mr. Williams introduced
Senate Bill No. 179,

A bill for an act relating to the absence of county officials from the duties of their offices.

Which was read the first and second times, and
Referred to the committee on counties.

Mr. Talcott introduced
Senate Bill No. 180,

A bill for an act relating to the death penalty, Warden of the North Dakota penitentiary to procure the proper electrical apparatus, machinery and appliances for the execution of convicted criminals, and for an appropriation providing means for the inflicting of such penalty. Time when law to apply.

Which was read the first and second times, and
Referred to the committee on state affairs.

Mr. Talcott introduced
Senate Bill No. 181,

A bill for an act to amend and re-enact section 76 of chapter 126 of the laws of 1897, being section 1261 of the Revised Codes of the state of North Dakota, 1899, in regard to revenue and taxation, and providing that in bidding at public vendue the purchaser who will pay the total amount of taxes, penalties and

costs charged against land sold therefor at the lowest rate of interest shall be the best bidder therefor.

Which was read the first and second times, and
Referred to the committee on ways and means.

Mr. Bacon introduced
Senate Bill No. 182,

A bill for an act making an appropriation to be expended under the direction of the board of trustees of the state university and school of mines, for the purpose of continuing the geological and natural history survey of the state and for the purpose of ascertaining what lands of this state contain deposits of lignite coal and for fully carrying out the provisions of section 155 of the constitution of this state relating to lands bearing lignite coal

Which was read the first and second times, and
Referred to the committee on appropriations.

Mr. Crane introduced
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.

Which was read the first and second times, and
Referred to the committee on appropriations.

Mr. Crane introduced
Senate Bill No. 184.

A bill for an act authorizing the purchase of vehicles, horses, etc., and the employment of a coachman for the use of the governor's office and the executive mansion and making appropriation therefor.

Which was read the first and second times, and
Referred to the committee on appropriations.

Mr. Crane introduced
Senate Bill No. 185,

Z

A bill for an act regulating the issuing of policies of insurance upon property in this state against loss or damage by fire, lightning or other hazard; providing for the payment of such loss or damage in the full amount of the policy of insurance if loss is total, and full amount of damage if loss is partial.

Which was read the first and second times, and
Referred to the committee on insurance.

Mr. Johnson introduced

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 kota.

Which was read the first and second times, and
Referred to the committee on judiciary.

Mr. McLean introduced

Senate Bill No. 187,

Concurrent resolution fixing time of payments of school and institution lands.

Which was read the first and second times, and
Referred to the committee on state affairs.

Mr. McLean introduced

Senate Bill No. 188,

A bill for an act to repeal section 516 of the political code of 1899, relating to marking ballots and manner of voting.

Which was read the first and second times, and
Referred to the committee on elections.

Mr. McLean introduced

Senate Bill No. 189,

A bill for an act to amend section 524 of the political code of 1899, declaring when ballots shall be void and not counted.

Which was read the first and second times, and
Referred to the committee on elections.

SECOND READING OF SENATE BILLS.

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 elections.

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. 161,

A bill for an act to amend section 5577, of chapter 13 of the code of civil procedure of the Revised Codes of North Dakota, 1899.

Was read the first and second times, and

Referred to the committee on judiciary.

Mr. LaMoure moved

That Albert Sylvertson be assigned from the position of janitor to the enrolling and engrossing force, with such pay.

Which motion prevailed.

MESSAGE FROM THE GOVERNOR.

The following message was received from the governor:

EXECUTIVE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 13, 1903.

To the senate:

I have the honor to inform you that I have approved and filed with the honorable secretary of state

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.

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.

I have the honor to be

Very respectfully,
FRANK WHITE,
Governor.

THIRD READING OF SENATE BILLS.

Mr. Lewis offered the following amendment to Senate Bill No. 26:

Amend section 9; as found on the 7th page of the journal of the 37th day, as follows:

In ninth line add the letter "s" after the word "paper"

In the 12th line strike out the words "one-half," and insert in lieu thereof the word "the."

Which amendments were adopted.

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 25, nays none, absent and not voting 15.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	McArthur
Cashel	Herbrandson	McLean
Clarke	Jacobson	Simpson
Cox	Johnson	Swenson
Crane	Kirkeide	Talcott
Garnett	LaMoure	Taylor
Geer	Lewis	Voss
Gulack	Lofthus	
Hagen	Macdonald	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Lavayea	Regan
Brown	Little	Robinson
Carroll	Main	Sharpe
Devlin	Pierce	Williams
Fox	Plain	Wipperman

Messrs. Benson, Brown, Devlin, Fox, Lavayea, Main, Pierce, Plain, Regan, Robinson and Wipperman 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.

The question being upon the final passage of the bill.

The roll was called and there were ayes 22, nays none, absent and not voting 18.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Jacobson	McLean
Cashel	Kirkeide	Sharpe
Clarke	LaMoure	Simpson
Crane	Lewis	Swenson
Garnett	Lofthus	Talcott
Geer	Macdonald	Taylor
Hale	McArthur	Voss
Herbrandson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Gulack	Pierce
Brown	Hagen	Plain
Carroll	Johnson	Regan
Cox	Lavayea	Robinson
Devlin	Little	Williams
Fox	Main	Wipperman

Messrs. Benson, Brown, Devlin, Fox, Lavayea, Main, Pierce, Plain, Regan, Robinson and Wipperman being excused.

So the bill as amended 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 21, nays none, absent and not voting 19.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hagen	Macdonald
Cashel	Hale	McLean
Clarke	Herbrandson	Sharpe
Cox	Jacobson	Simpson
Crane	LaMoure	Swenson
Garnett	Lewis	Taylor
Geer	Lofthus	Voss

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Kirkeide	Regan
Brown	Lavayea	Robinson
Carroll	Little	Talcott
Devlin	Main	Williams
Fox	McArthur	Wipperman
Gulack	Pierce	
Johnson	Plain	

Messrs. Benson, Brown, Devlin, Fox, Lavayea, Main, Pierce, Plain, Regan, Robinson and Wipperman being excused.

So the bill passed and the title was agreed to.

The secretary announced that the president 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. 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,

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 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.

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 erection and equipment of necessary additional buildings and for City and Mayville.

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.

And the president signed the same in the presence of the senate.

MESSAGE FROM THE HOUSE.

The following message was received from the house:

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 13, 1903.

Mr. President:

I have the honor to transmit herewith

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. 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. 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. 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.

Which the house has passed and your favorable consideration thereof is respectfully requested.

Also,

Mr. President:

I have the honor to return herewith

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.

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.

Which the senate has passed unchanged.

Also,

Mr. President:

I have the honor to inform you that the house has concurred in the following

Concurrent Resolution,

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.

Also,

Mr. President:

I have the honor to return herewith

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. 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.

Which the house has passed unchanged.

Also,

Mr. President:

I have the honor to transmit herewith

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. 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. 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. 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. 160,

A bill for an act to amend section 1987 of the Revised Codes of North Dakota.

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. 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. 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. 172,

A bill for an act to amend section 5603, Revised Codes, relating to appeals in civil actions.

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. 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 house has passed and your favorable consideration thereof is requested.

A. O. ANDERSON,

Chief Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

I have the honor to transmit herewith the following

CONCURRENT RESOLUTION.

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 the house has passed and your favorable consideration thereof is respectfully requested.

Respectfully,

A. O. ANDERSON,

Chief Clerk.

Mr. Cox moved

That the senate do now concur in the house concurrent resolution as introduced by Mr. Young in the house.

Which motion prevailed.

MESSAGE FROM THE HOUSE.

Mr. President:

I have the honor to transmit herewith the following

CONCURRENT RESOLUTION.

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 the 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.

Respectfully,

A. O. ANDERSON,

Chief Clerk.

Mr. Hale moved

That the senate now concur in the message from the house and that the president appoint a committee of two in accordance with resolution.

Which motion prevailed.

The president appointed Messrs. LaMoure and Sharpe.

Mr. LaMoure moved

That the senate do now adjourn,

Which motion prevailed, and

The senate adjourned.

R. M. TUTTLE,

Secretary.

FORTY-SIXTH DAY

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 20, 1903.

The senate met at 2 o'clock p. m., pursuant to adjournment.

The president presiding.

Prayer by the chaplain.

Roll call was suspended.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Hale presented the following communications:

Devils Lake, N. D.

We, the undersigned, would humbly petition your honorably body to support the bill known as House Bill No. 84, and make it a law of our state.

J. M. WADDLE,
Pastor Presbyterian Church,
And Sixty-nine Others.
Crary, N. D., Feb. 7, 1903.

To Members of Senate and House or Representatives, Bismarck, N. D.:

We, the undersigned, residents of Crary, Ramsey county, and vicinity, believing in our present prohibitory law, respectfully urge you, and others of our Ramsey county members, to use all honorable means to defeat any measure tending towards repealing or in any way weakening same.

We also believe that an anti-cigarette bill should be passed at this session, and trust you will not lose an opportunity to further any measure tending towards that end.

REV. W. STEELE,
And Thirty-eight Others.

Mr. Crane presented the following communications:

Hope, N. D., Feb. 12, 1903.

Hon. Maynard Crane:

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.

To the North Dakota Senate, Eighth Session, Care of Senator Crane:

We, the undersigned, hereby 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.

The above was endorsed by vote by a meeting of the Congregational church, thirty-five present, adults, in the town of Cooperstown, state of North Dakota, Feb. 15, 1903, and the undersigned was authorized to so attest.

REV. V. H. RURING,
Presiding.

Mr. Herbrandson presented the following petition:

Hillsboro, N. D., February 11, 1903.

To the Hon. Senators and Representatives of the Eighth Legislative 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 137, as we believe that the firemen are entitled to this recognition at the hands of the people.

JOHN CARMODY,
And Fifty Others.

REPORTS OF STANDING COMMITTEES.

REFERENCE OF THE JOURNAL.

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

Mr. President:

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

On page 5, after the signature "C. B. Little, chairman," insert the following:

The committee on judiciary made the following report:

Mr. President:

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 be amended as follows:

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."

And when so amended recommend the same do pass.

C. B. LITTLE, Chairman.

Mr. Little moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

And when so amended recommend that the same be approved.

MAYNARD CRANE,
Acting Chairman.

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

INTRODUCTION AND FIRST READING OF SENATE BILLS.

Mr. Wipperman introduced
Senate Bill No. 190,

A bill for an act to amend and re-enact section 1090 of the Revised Codes of the revision of 1899.

Which was read the first and second times, and
Referred to the committee on highways and bridges.

Mr. Wipperman introduced
Senate Bill No. 191,

A bill for an act to amend section 1267 of the Revised Codes of the revision of 1899.

Which was read the first and second times, and
Referred to the committee on judiciary.

Mr. Crane introduced
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.

Which was read the first and second times, and
Referred to the committee on public health.

Mr. Sharpe introduced
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.

Which was read the first and second times, and
Referred to the committee on state affairs.

Mr. Taylor introduced
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.

Which was read the first and second times, and
Referred to the committee on agriculture.

Mr. Taylor introduced
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 public health.

Mr. LaMoure introduced
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.

Which was read the first and second times, and
Referred to the committee on appropriations.

Mr. Lewis introduced
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.

Which was read the first and second times, and
Referred to the committee on appropriations.

Mr. Hale introduced
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.

Which was read the first and second times, and
Referred to the committee on highways and bridges.

EXECUTIVE COMMUNICATION.

A sealed communication was received from the governor.

Mr. Little moved

That the sealed communication from the governor be laid over until tomorrow.

Which motion prevailed.

Mr. Little moved

That all House Bills receive their first and second reading and reference.

Which motion prevailed.

FIRST AND SECOND READING OF HOUSE BILLS.

House Bill No. 46,

A bill for an act to amend section 1, of chapter 213 of the ses-

sion laws of 1891, amending section 1722 of the political code of 1899, relating to weights and measures.

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

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 first and second times, 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 first and second times, and
Referred to the committee on agriculture.

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 first and second times, and
Referred to the committee on railroads.

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 first and second times, and
Referred to the committee on judiciary.

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 first and second times, and
Referred to the committee on judiciary.

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 first and second times, 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 first and second times, and
Referred to the committee on judiciary.

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 first and second times, and

Referred to the committee on judiciary.

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 first and second times, and

Referred to the committee on judiciary.

House Bill No. 172,

A bill for an act to amend section 5603, Revised Codes, relating to appeals in civil actions.

Was read the first and second times, and

Referred to the committee on judiciary.

House Bill No. 173,

A bill for an act relating to motions for review on appeals to the supreme court.

Was read the first and second times, and

Referred to the committee on judiciary.

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 first and second times, and

Referred to the committee on judiciary.

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 first and second times, and

Referred to the committee on insurance.

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 first and second times, and
Referred to the committee on judiciary.

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 first and second times, and
Referred to the committee on judiciary.

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.

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

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 first and second times, and
Referred to the committee on public health.

The courtesies of the floor were extended to John O. Hanchett.

MESSAGE FROM THE GOVERNOR.

The following message was received from the governor:

EXECUTIVE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 14, 1903.

To the Senate:

Mr. President:

I have the honor to inform you that I have approved and filed with the Honorable Secretary of State

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. 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.

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 erection and equipment of necessary additional buildings and for other necessary improvements for the normal school at Valley City and Mayville.

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 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.

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 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.

I have the honor to be,

Very respectfully,

FRANK WHITE,

Governor.

Mr. Talcott moved

That the senate do now adjourn.

Which motion prevailed, and

The senate adjourned.

R. M. TUTTLE,

Secretary.

FORTY-SEVENTH DAY

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 21, 1903.

The senate met at 2 o'clock p. m. pursuant to adjournment.

The president presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Benson, Brown, Cox, Jacobson, Pierce and Wipperman who were excused.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Clarke presented the following petition:

Rolla, N. D., Feb. 14, 1903.

Hon. W. Clarke, Bismarck, N. D.:

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 or 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. Talcott presented the following petition:

Tower City, N. D., Feb. 11, 1903.

To the Hon. F. S. Talcott, Senator of the Eleventh 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 137, as we believe that the firemen are entitled to this recognition at the hands of the people.

H. H. ROBERTS,
And Forty-two Others.

Mr. Devlin presented the following petition:

Milnor, N. D., Feb. 13, 1903.

To the Hon. J. F. Devlin, Senator of the Thirteenth 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 137, as we believe that the firemen are entitled to this recognition at the hands of the people

JENS PEDERSEN,
And Fifty-one Others.

Mr. Williams presented the following petition:

Jamestown, N. D., Feb. 14, 1903.

To the Hon. M. D. Williams of the Twenty-third Senatorial 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 137, as we believe that the firemen are entitled to this recognition at the hands of the people.

H. G. WASSER,
And Forty-eight Others.

Mr. Plain presented the following petition:

Milton, N. D., Feb. 12, 1903.

To the Hon. C. W. Plain, N. Robillard and J. McDowall, of the Fortieth 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 137, as we believe that the firemen are entitled to this recognition at the hands of the people.

CHARLES A. OLSON,
And Forty-three Others.

Mr. Lavayea presented the following petition:

Northwood, N. D., Feb. 12, 1903.

To the Hon. H. Lavayea, Senator of the Fifth 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 137, as we believe that the firemen are entitled to this recognition at the hands of the people.

M. V. LINWELL,
And Thirty-six Others.

Mr. McArthur presented the following petition:

Bottineau, N. D., Feb. 13, 1903.

To the Hon. D. H. McArthur of the Twenty-eighth 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 137, as we believe that the firemen are entitled to this recognition at the hands of the people.

PETER B. FERGUSON,
And Thirty-six Others.

Mr. Bacon presented the following petition:

To the Honorable Members of the Senate of the State of North Dakota:

Gentlemen: We, the undersigned, respectfully petition and earnestly request you to use your votes and influence against any and all resubmission resolutions or measures now pending before you or that may hereafter be introduced during the present session of the legislature, in whatsoever form or guise the same may appear.

MRS. EMMA R. SMITH,
And Thirty-nine Others.

Mr. Lewis presented the following petition:

Fargo, N. D., Feb. 19, 1903.

To the Hon. R. S. Lewis, Senator of the Ninth 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 137, as we believe that the firemen are entitled to this recognition at the hands of the people.

W. D. SWEET, Mayor,
And Fifty-one Others.

The following petition was presented:

Aneta, N. D., Feb. 15, 1903.

To the President of the Senate of North Dakota:

Honored Sir: At a meeting held in the Baptist church in the town of Aneta, N. D., Feb. 15, 1903, when nearly 140 people were assembled, the passage of the "anti-cigarette" and "age of consent" bills were voted upon and unanimously urged to be passed by your honorable body.

We, therefore, request you to bring this notice before all the senate 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.

The following petition was presented:

To the North Dakota Senate, Eighth Session, Care of Senator Crane:

The 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 Thirty-three Others.

Mr. Cashel presented the following petition:

Grafton, N. D., Feb. 12, 1903.

To the Hon. John L. Cashel and Thomas Gagnon, Members of the Fourth Legislative 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 137, as we believe that the firemen are entitled to this recognition at the hands of the people.

G. M. BAER,
And Forty-nine Others.

REPORTS OF STANDING COMMITTEES.

The committee on judiciary made the following report:

Mr. President:

**Your committee on judiciary to whom was referred
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 be amended as follows:

Strike out the emergency clause.

And when so amended recommend the same do pass.

C. B. LITTLE,
Chairman.

Mr. Little 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. President:

**Your committee on judiciary to whom was referred
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. 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 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. 167,

A bill for an act to amend section 2095 of the Revised Codes of 1899, relating to compensation of county commissioners.

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.

Also,

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. 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.

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.

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.

C. B. LITTLE,
Chairman.

The committee on judiciary made the following report:

Mr. President:

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 adding at end of sub-division 7, the following:

"Provided that sub-division seven (7) shall not apply to any mechanic's lien filed prior to the passage of this act."

And when so amended recommend the same do pass.

C. B. LITTLE,
Chairman.

Mr. Little moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on insurance made the following report:

Mr. President:

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. 7,

A bill for an act to amend section 3127 of the Revised Codes, relating to the taxation of insurance companies.

Have had the same under consideration and recommend that the same do pass.

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.

Have had the same under consideration and recommend that the same be amended as follows:

On line 4 of section 3, of the printed bill, strike out the word "five," and insert the word "one."

On line 4 of section 3, of the printed bill, strike out the words "one thousand," and insert the words "five hundred."

And when so amended recommend the same do pass.

J. A. REGAN,
Chairman.

Mr. Regan moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on insurance made the following report:

Mr. President:

Your committee on insurance 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 do pass.

J. A. REGAN,
Chairman.

The committee on agriculture made the following report:

Mr. President:

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 penalties for the violation of the provisions of this act.

Have had the same under consideration and recommend that the same be amended as follows:

Insert after the word corporation in line 11 of page 2, of the printed bill, "and shall file with the secretary of state a bond in the sum of twenty thousand dollars (\$20,000), conditioned for the payment of any and all damages sustained by any person, firm or corporation by reason of any fraud or misrepresentation on the part of any such person, firm or corporation so selling such stallion or of any agent or other person acting for or under the direction of such person, firm or corporation so selling any such stallion, such bond to be first approved by the secretary of state and shall by a duly executed instrument filed in the office of the secretary of state constitute and appoint the secretary of state and his successors the true and lawful attorney of such person, firm or corporation upon

whom all process in any action or proceeding against such person, firm or corporation may be served, it being provided that the provisions of section 3263 of the Revised Codes of North Dakota of 1899 shall apply to any service of process under the provisions of this act.

"Any such person, firm or corporation shall at the time of the sale or contract for sale of any such stallion and as a part of the contract for sale, or sale of such stallion furnish and deliver to the person so purchasing a written guaranty which among other things shall guarantee that all representations as to importation, pedigree, soundness and potency for breeding purposes are true and agreeing that in case of the failure of said guarantee in any material part the person, firm or corporation so selling such stallion will take the same back and cancel, surrender and deliver up any note or contracts given therefor, the exact terms and conditions of said guaranty to be fixed by the parties thereto; and strike out all after the word section in line 17 of page 3 of the printed bill down to and including the word for in line 18 of said page 3.

"By striking out all of section 4 of said printed bill."

And when so amended recommend the same do pass.

IVER SWENSON,
Chairman.

Mr. Swenson moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on elections made the following report:

Mr. President:

Your committee on elections to whom was referred

Senate Bill No. 188,

A bill for an act to repeal section 516 of the political code of 1899, relating to marking ballots and manner of voting.

Have had the same under consideration and recommend that the same be indefinitely postponed.

HENRY HALE,
Chairman.

Mr. Hale moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on elections made the following report:

Mr. President:

Your committee on elections to whom was referred

Senate Bill No. 189,

A bill for an act to amend section 524 of the political code of 1899, declaring when ballots shall be void and not counted.

Have had the same under consideration and recommend that the same be indefinitely postponed.

HENRY HALE,
Chairman.

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

The committee on elections made the following report.

Mr. President:

Your committee on elections to whom was referred
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.

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.

Have had the same under consideration and recommend that the same do pass.

HENRY HALE,
Chairman.

The committee on education made the following report:

Mr. President:

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 as follows:

Strike out the word "may", in line 8, section 2, and insert the word "shall," in place thereof, in engrossed bill.

And when so amended recommend the same do pass.

H. E. LAVAYEA,
Chairman.

Mr. Lavayea 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. President:

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.

H. E. LAVAYEA,
Chairman.

The committee on enrolled and engrossed bills made the following report:

Mr. Speaker:

Your committee on enrolled and engrossed bills have examined 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. 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. 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.

And find the same correctly engrossed.

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. 50,

A bill for an act requiring the superintendent of public instruction to publish and distribute the proceedings of the North Dakota educational association.

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.

Also,
Senate Bill No. 66,

A concurrent resolution providing for the submission of a pro-

posed amendment to section 162 of the constitution of the state of North Dakota to the ninth general legislative assembly of North Dakota.

And find the same correctly enrolled.

H. E. LAVAYEA,
Chairman.

MOTIONS AND RESOLUTIONS.

Mr. Little moved

That the senate do now go into executive session to consider the sealed message from the governor.

Which motion prevailed.

The following nominations of the governor were confirmed:

TRUSTEES OF INDUSTRIAL SCHOOL.

As trustees of the Industrial School, Charles J. Sturgeon, of LaMoure county; Walter H. Boomer, of Sargent county, and Arthur M. Farley, of McIntosh county, each for the term of four years from the third Monday in February, 1903.

BLIND ASYLUM.

As trustees of the Blind Asylum, Benjamin James, of Bathgate; J. B. Robinson, of Bathgate; G. H. Garnett, of St. Thomas, for a term of four years, and John Mager, of Walhalla, and Louis Captain, of Neche, for a term of two years, from the third Monday in February, 1903.

DIRECTORS OF SCHOOL OF FORESTRY.

Hans A. Rothgarn and David Clark, of Bottineau county, each for a term of four years from the first Tuesday in April, 1903.

OPEN SESSION.

Mr. Hale moved

That the majority report on Senate Bill No. 75 be adopted.

Mr. LaMoure moved

As a substitute that the minority report be adopted.

Mr. Cashel moved

That the bill be recommitted with instructions to the committee that they report back within forty-eight hours a completed bill covering all positions for which nominations are to be made at the ensuing general election.

Mr. Little rose to a point of order.

The president decided the point of order well taken.

On the motion of Mr. LaMoure to adopt the minority report

Roll call demanded.

The roll was called and there were ayes 20, nays 12, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Gulack	Little
Carroll	Hagen	McLean
Clarke	Herbrandson	Simpson
Devlin	Johnson	Swenson
Fox	LaMoure	Talcott
Garnett	Lavayea	Voss
Geer	Lewis	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Cashel	Macdonald	Regan
Crane	Main	Robinson
Hale	McArthur	Sharpe
Kirkeide	Plain	Taylor

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Jacobson	Williams
Brown	Lofthus	Wipperman
Cox	Pierce	

Messrs. Benson, Brown, Cox, Jacobson, Lofthus, Pierce and Wipperman being excused.

The substitute motion was adopted.

INTRODUCTION AND FIRST AND SECOND READING OF SENATE BILLS.

Mr. Williams, by request, introduced
Senate Bill No. 199,

A bill for an act providing for the confirmation by the county court of sales of real property situated within this state, of non-resident minors and insane persons where made under the directions of a court of another state or county having jurisdiction of the person of such minor or insane person.

Which was read the first and second times, and
Referred to the committee on judiciary.

Mr. Williams introduced
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.

Which was read the first and second times, and
Referred to the committee on judiciary.

Mr. Macdonald introduced
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.

Which was read the first and second times, and
Referred to the committee on railroads.

Mr. Little introduced
Senate Bill No. 202,

A bill for an act to amend and re-enact section 1986, Revised Codes of North Dakota, revision of 1899.

Which was read the first and second times, and
Referred to the committee on judiciary.

Mr. Simpson introduced
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 was read the first and second times, and
Referred to the committee on judiciary.

Mr. Simpson introduced
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.

Which was read the first and second times, and
Referred to the committee on judiciary.

Mr. Lewis introduced
Senate Bill No. 205,

A bill for an act amending sections 3594 and 3595 of the Revised Codes.

Which was read the first and second times, and
Referred to the committee on state affairs.

Mr. Lewis introduced
Senate Bill No. 206,

A bill for an act providing for future valid assessments and levies of taxes and delinquencies and penalties thereon.

Which was read the first and second times, and
Referred to the committee on ways and means.

Mr. Simpson introduced
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.

Which was read the first and second times, and
Referred to the committee on appropriations.

Mr. Simpson introduced

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.

Which was read the first and second times, and

Referred to the committee on appropriations.

Mr. Robinson introduced

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.

Which was read the first and second times, and

Referred to the committee on judiciary.

Mr. McArthur introduced

Senate Bill No. 210,

A bill for an act regulating calling of elections to determine whether or not county courts shall have increased jurisdiction.

Which was read the first and second times, and

Referred to the committee on elections.

Mr. Taylor introduced

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.

Which was read the first and second times, and

Referred to the committee on public lands.

Mr. Main introduced

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.

Which was read the first and second times, and

Referred to the committee on highways and bridges.

Mr. Little moved

That the request from the house for the return of House Bill No. 6 be granted.

Which motion prevailed.

THIRD READING OF SENATE BILLS.

Mr. LaMoure moved that
Senate Bill No. 19,

A bill for an act to amend section 172 of the Revised Codes relating to the investment of the permanent school fund.

Be indefinitely postponed.

Which motion prevailed, and
Senate Bill No. 19 was indefinitely postponed.

Mr. Simpson moved the following amendment to
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.

After the word "statement" at end of section 1, add the following:
"Said allowance for expenses shall commence as of January 1, 1903."

Which amendment was adopted.

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 on the final passage of the bill as amended.

The roll was called and there were ayes 30, nays 2, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—

Bacon
Carroll
Cashel
Clarke
Crane
Devlin
Fox
Garnett
Geer
Gulack

Messrs.—

Hagen
Hale
Herbrandson
Johnson
Kirkeide
LaMoure
Lavayea
Lewis
Little
Macdonald

Messrs.—

Main
McArthur
McLean
Regan
Sharpe
Simpson
Swenson
Talcott
Taylor
Voss

Absent and not voting:

Messrs.—

Benson
Brown
Cox

Messrs.—

Jacobson
Lofthus
Pierce

Messrs.—

Robinson
Wipperman

Messrs. Plain and Williams voted in the negative.

Messrs. Benson, Brown, Cox, Jacobson, Lofthus, Pierce and Wipperman being excused.

So the bill as amended passed and the title was agreed to.

Mr. Simpson moved,

That the vote by which substitute for Senate Bill No 2 was passed be reconsidered and

The motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 45,

A bill for an act to amend section 653 of the Revised Codes of 1899, relating to qualifications of county superintendent of schools.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 15, nays 12, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Garnett	McLean
Carroll	Hagen	Sharpe
Cashel	Lavayea	Simpson
Crane	Lewis	Talcott
Fox	Little	Taylor

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Clarke	Herbrandson	Main
Devlin	Johnson	Swenson
Gulack	Kirkeide	Voss
Hale	Macdonald	Williams

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	LaMoure	Plain
Brown	Lofthus	Regan
Cox	McArthur	Robinson
Geer	Pierce	Wipperman
Jacobson		

Messrs. Benson, Brown, Cox, Jacobson, Lofthus, Pierce and Wipperman being excused.

So the bill was lost.

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 31, nays none, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	Regan
Carroll	Herbrandson	Robinson
Cashel	Johnson	Sharpe
Clarke	Kirkeide	Simpson

Messrs.—
 Crane
 Devlin
 Fox
 Garnett
 Geer
 Gulack
 Hagen

Messrs.—
 LaMoure
 Lavayea
 Lewis
 Little
 Macdonald
 McLean
 Plain

Messrs.—
 Swenson
 Talcott
 Taylor
 Voss
 Williams

Absent and not voting:

Messrs.—
 Benson
 Brown
 Cox

Messrs.—
 Jacobson
 Lofthus
 Main

Messrs.—
 McArthur
 Pierce
 Wipperman

Messrs. Benson, Brown, Cox, Jacobson, Lofthus, Pierce and Wipperman being excused.

So the bill passed and the title was agreed to.

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

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 1, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—
 Bacon
 Carroll
 Cashel
 Crane
 Devlin
 Fox
 Garnett
 Geer
 Gulack
 Hagen

Messrs.—
 Hale
 Herbrandson
 Johnson
 Kirkeide
 LaMoure
 Lewis
 Macdonald
 Main
 McArthur
 McLean

Messrs.—
 Plain
 Regan
 Robinson
 Sharpe
 Swenson
 Talcott
 Taylor
 Voss
 Williams

Absent and not voting:

Messrs.—
 Benson
 Brown
 Clarke
 Cox

Messrs.—
 Jacobson
 Little
 Lofthus

Messrs.—
 Pierce
 Simpson
 Wipperman

Mr. Lavayea voted in the negative.

Messrs. Benson, Brown, Cox, Jacobson, Lofthus, Pierce and Wipperman being excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

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

Mr. President:

I have the honor to return herewith

Senate Bill No. 36,

A bill for an act to amend section 2724 of the Revised Codes, declaring who may solemnize marriage and referring to license and certificate.

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. 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. 64,

A bill for an act to repeal chapter 83 of the session laws of 1901.

Further consideration of which the house has indefinitely postponed.

Respectfully,

A. O. ANDERSON,

Chief Clerk.

Mr. President:

I have the honor to inform the senate that the house desires to recall

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.

For the purpose of reconsidering the same, and I hereby request the honorable senate to return the same to the house.

Respectfully,

A. O. ANDERSON,

Chief Clerk.

Mr. President:

I have the honor to return herewith

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 the house has passed unchanged.

Also,

Transmit herewith

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 house has passed and your favorable consideration thereof is requested.

Respectfully,

A. O. ANDERSON,

Chief Clerk.

The secretary announced that the president was about to sign 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. 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.

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 of the North Dakota educational association.

House Bill No. 11,

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

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.

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 president signed the same in the presence of the senate.

The courtesies of the floor were extended to the following: W. J. Hawk, A. J. Stensgaard, W. E. Hoops, Tracy R. Bangs, Col. W. B. Douglass, E. H. Smith, Hans Oppegaard, J. B. Wineman, E. M. Warren, A. L. Esse, J. B. Minor.

Mr. Talcott moved
That the senate do now adjourn.
Which motion prevailed, and
The senate adjourned.

R. M. TUTTLE,

Secretary.

FIFTIETH DAY

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 24, 1903.

The senate met at 2 o'clock p. m., pursuant to adjournment.

The president presiding.

Prayer by Dr. Brown of Fargo, N. D.

Roll call.

All members present except Messrs. Benson, Brown, Carroll, Cox and Pierce, who were excused.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Swensen presented the following petition:

Aneta, N. D., Feb. 15, 1903.

Hon. Iver Swenson, Senator, Bismarck, N. D.:

Honored Sir: At a meeting held in the Baptist church in the town of Aneta, N. D., Feb. 14, 1903, when nearly 140 people were assembled, the passage of the "anti-cigarette" and the "age of consent" bills were voted upon and unanimously urged to be passed by our legislators; therefore,

We urge you to vote for the passage of these bills, and use all your influence to get the other members to do likewise.

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.

The following petition was presented:

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 HARDWARE ASSOCIATION,
By C. N. Barnes,
Secretary.

Mr. Lavayea presented the following petition:

To the Senate of the State of North Dakota, Care of Senator Lavayea:

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 conviction of persons violating the prohibitory law.

The above was endorsed by vote by a meeting of Niagara, in the city (or town) of Niagara, N. D., on 21st day of February, 1903, and the undersigned were authorized to so attest.

MRS. J. W. NASON,
President W. C. T. U.,
And Twenty-five Others.

Mr. Lewis presented the following petition:

To the Senate of the State of North Dakota, Care of Senator Lewis:

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 conviction of persons violating the prohibitory law.

The above was endorsed by vote by a meeting of the First Norwegian Baptist church in the city (or town) of Fargo, state of North Dakota, on the 22d of February, 1903, and the undersigned were authorized to so attest.

S. OLAN,
Chairman.
J. RYLANDER,
And Twenty-five Others.

Mr. Voss presented the following petitions:

Mandan, N. D., Feb. 12, 1903.

To the Hon. H. G. Voss, State Senator of the Thirtieth 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 137, as we believe that the firemen are entitled to this recognition at the hands of the people.

H. H. HARMON,
And One Hundred Others.

Glenn Ullin, N. D., Feb. 11, 1903.

To the Hon. H. G. Voss, of the Thirteenth 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 137, as we believe that the firemen are entitled to this recognition at the hands of the people.

W. T. MORN,
JACOB BLETT.

REPORTS OF STANDING COMMITTEES.

The committee on judiciary made the following report:

Mr. President:

Your committee on judiciary 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 indefinitely postponed.

C. B. LITTLE,
Chairman.

Mr. Little 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. President:

Your committee on judiciary to whom was referred

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,

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 do pass.

Also,

House Bill No. 112,

A bill for an act to amend section 2072a 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.

The committee on judiciary made the following report:

Mr. President:

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 be amended as follows:

After the end of line 18, of section 1, of the printed bill, insert a new section, as follows:

"Sec. 2. All acts and parts of acts in conflict herewith are hereby repealed."

In line 1, of section 2, of printed bill, change the words "Sec. 2," to "Sec. 3."

And when so amended recommend the same do pass.

C. B. LITTLE,
Chairman.

Mr. Little 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. President:

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.

C. B. LITTLE,
Chairman.

The committee on judiciary made the following report:

Mr. President:

Your committee on judiciary 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 same be amended as follows:

Strike out all of lines 1, 2, 3, 4, 5 and 6, of section 22, of printed bill.

Insert lines 7, 8, 9, 10, 11 and 12, of section 22, at the end of section 21, immediately after the word "law," in line 21.

And when so amended recommend the same do pass.

C. B. LITTLE,
Chairman.

Mr. Little 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. President:

Your committee on judiciary 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.

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.

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. 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. B. LITTLE,
Chairman.

The committee on cities and municipal corporations made the following report:

Mr. President:

Your committee on cities and municipal corporations 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.

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.

Have had the same under consideration and recommend that the same do pass.

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.

Have had the same under consideration, and recommend that the same do pass.

J. D. BACON,

Chairman.

The committee on railroads made the following report:

Mr. President:

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.

Have had the same under consideration and recommend that the same do pass.

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.

Have had the same under consideration and recommend that the same do pass.

R. S. LEWIS,

Chairman.

The committee on railroads made the following report:

Mr. President:

Your committee on railroads to whom was referred

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 be amended as follows:

In line 8, of the printed bill, where "\$3,000" appears, insert "\$4,000."

And when so amended recommend the same do pass.

R. S. LEWIS,
Chairman.

Mr. Lewis moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on public health made the following report:

Mr. President:

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. 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 do pass.

Also,

House Bill No. 113,

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.

Also,

Senate Bill No. 125,

A bill for an act prohibiting the practice of Christian Science, Faith Cure, Mind Healing and other like agencies in the curing of diseases, and providing punishment therefor.

And recommend that the same be amended as follows:

That the title be amended by inserting after the word "Diseases," the following:

"Upon children under the age of 18 years."

In line 2, of section 1, of the printed bill, after the word "diseases," insert the following:

"Upon children under the age of 18 years."

In line 1, of section 3, of the printed bill, strike out the word "sixteen," and insert the word "eighteen," in lieu thereof.

And when so amended recommend that the same do pass.

J. D. TAYLOR,
Chairman.

Mr. Bacon moved
That Senate Bill No. 125 be recommitted to the judiciary committee.

Which motion prevailed.

The committee on ways and means made the following report:

Mr. President:

Your committee on ways and means to whom was referred
House Bill No. 45,
A bill for an act to exempt volunteer firemen from the payment of poll tax.

Have had the same under consideration and recommend that the same do pass.

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.

Have had the same under consideration and recommend that the same do pass.

J. B. SHARPE,
Chairman.

The committee on highways and bridges made the following report:

Mr. President:

Your committee on highways and bridges 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.

A. MACDONALD,
Chairman.

The committee on highways and bridges made the following report:

Mr. President:

Your committee on highways and bridges 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 be amended as follows:

Section 1112, in line 9, of engrossed bill, strike out the words "and a half."

And when so amended recommend the same do pass.

A. MACDONALD.

Chairman.

Mr. Macdonald 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. President:

Your committee on ways and means 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.

J. B. SHARPE,

Chairman.

The committee on public printing made the following report:

Mr. President:

Your committee on public printing 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 biennial, annual and special reports; how printed.

Have had the same under consideration and recommend that the same do pass.

J. F. DEVLIN,

Chairman.

The committee on enrolled and engrossed bills made the following report:

Mr. President:

Your committee on enrolled and engrossed bills have examined 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.

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. 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. 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. 7,

A bill for an act to amend section 3127 of the Revised Codes, relating to the taxation of insurance companies.

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. 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. 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. 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. 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.

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.

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. 165,

A bill for an act relating to where county records shall be kept.

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. 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. 173,

A bill for an act to amend and re-enact sections 759 and 761 of the Revised Codes, relating to education.

And find the same correctly engrossed.

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.

And find the same correctly enrolled.

H. E. LAVAYEA,

Chairman.

MOTIONS AND RESOLUTIONS.

Mr. Taylor introduced 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.

Mr. Taylor moved
The adoption of the resolution.
Which motion prevailed.

Mr. Crane moved

That a steering committee of nine be appointed by the president to take charge of such bills as have not already been acted upon by the various standing committees of the senate, with power to report at any and all times.

Which motion prevailed.

The courtesies of the floor were extended to the following: C. S. DeLanay, J. A. Buchanan, J. C. Haskins, M. F. Williams, E. Orland, R. A. Foy, E. C. Bowen, F. W. Cathro.

Mr. Simpson moved

That all senate bills be given their first and second readings and reference.

Which motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS

Mr. Devlin introduced

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 committee on education.

Mr. Regan introduced

Senate Bill No. 214,

A bill for an act to amend section 275 of the Revised Codes relating to the appointment and qualifications of the state board of medical examiners.

Was read the first and second times, and

Referred to the committee on judiciary.

Mr. Simpson introduced

Senate Bill No. 215,

A bill for an act changing and defining the boundaries of Stark county.

Was read the first and second times, and

Referred to the committee on judiciary.

Mr. Plain introduced

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.

Was read the first and second times, and
 Referred to the committee on education.

Mr. Crane introduced
 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 the committee on judiciary.

Mr. Hale introduced
 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 committee on judiciary.

THIRD READING OF SENATE BILLS.

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 third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 29, nays none, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	McLean
Cashel	Johnson	Plain
Clarke	Kirkeide	Robinson
Devlin	LaMoure	Sharpe
Fox	Lavayea	Swenson
Garnett	Lewis	Talcott
Geer	Lofthus	Taylor
Gulack	Macdonald	Williams
Hagen	Main	Wipperman
Hale	McArthur	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Crane	Regan
Brown	Jacobson	Simpson
Carroll	Little	Voss
Cox	Pierce	

Messrs. Benson, Brown, Carroll, Cox, Jacobson and Pierce being excused.

So the bill passed and the title was agreed to.

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 33, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	McLean
Cashel	Johnson	Plain
Clarke	Kirkeide	Regan
Crane	LaMoure	Robinson
Devlin	Lavayea	Sharpe
Fox	Lewis	Swenson
Garnett	Little	Talcott
Geer	Lofthus	Taylor
Gulack	Macdonald	Voss
Hagen	Main	Williams
Hale	McArthur	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Cox	Simpson
Brown	Jacobson	
Carroll	Pierce	

Messrs. Benson, Brown, Carroll, Cox, Jacobson and Pierce being excused.

So the bill passed and the title was agreed to.

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 24, nays 1, absent and not voting 15.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Cashel	Johnson	Plain
Clarke	LaMoure	Regan
Crane	Lavayea	Robinson
Devlin	Lewis	Simpson
Garnett	Little	Talcott
Geer	Macdonald	Taylor
Gulack	Main	Williams
Hale	McLean	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Fox	McArthur
Benson	Hagen	Pierce
Brown	Herbrandson	Sharpe
Carroll	Jacobson	Swenson
Cox	Lofthus	Voss

Mr. Kirkeide voted in the negative.

Messrs. Benson, Brown, Carroll, Cox, Jacobson and Pierce 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 31, nays none, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Cashel	Johnson	Plain
Clarke	Kirkeide	Regan
Crane	LaMourea	Robinson
Devlin	Lavayea	Sharpe
Garnett	Little	Simpson
Geer	Lofthus	Swenson
Gulack	Macdonald	Talcott
Hagen	Main	Taylor
Hale	McArthur	Voss
Herbrandson	McLean	Wipperman
Jacobson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Carroll	Lewis
Benson	Cox	Pierce
Brown	Fox	Williams

Messrs. Benson, Brown, Carroll, Cox and Pierce being excused.

So the bill passed and the title was agreed to.

Mr. Simpson moved

That the vote by which Senate Bill No. 119 was passed be reconsidered and

The motion to reconsider be laid on the table.

Which motion prevailed.

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.

The question being upon the final passage of the bill.

The roll was called and there were ayes 32, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Jacobson	Plain
Cashel	Johnson	Regan
Clarke	Kirkeide	Robinson
Crane	LaMoure	Simpson
Devlin	Lavayea	Swenson
Garnett	Lofthus	Talcott
Geer	Macdonald	Taylor
Gulack	Main	Voss
Hagen	McArthur	Williams
Hale	McLean	Wipperman
Herbrandson	Sharpe	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Cox	Little
Brown	Fox	Pierce
Carroll	Lewis	

Messrs. Benson, Carroll, Cox and Pierce 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 32, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Jacobson	Regan
Cashel	Johnson	Robinson
Clarke	Kirkeide	Sharpe
Crane	LaMoure	Simpson
Devlin	Lavayea	Swenson
Garnett	Lofthus	Talcott
Geer	Macdonald	Taylor
Gulack	Main	Voss
Hagen	McArthur	Williams
Hale	McLean	Wipperman
Herbrandson	Plain	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Cox	Little
Brown	Fox	Pierce
Carroll	Lewis	

Messrs. Benson Brown, Carroll, Cox and Pierce being excused.
So the bill passed and the title was agreed to.

Senate Bill No. 167,

A bill for an act to amend section 2095 of the Revised Codes of 1899, relating to compensation of county commisioners.

Was read the third time

The question being on the final passage of the bill.

The roll being called there were ayes 28, nays 4, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	McArthur
Cashel	Herbrandson	Regan
Clarke	Jacobson	Robinson
Crane	Johnson	Sharpe
Devlin	Kirkeide	Swenson
Fox	LaMoure	Talcott
Garnett	Lavayea	Taylor
Geer	Lewis	Voss
Gulack	Macdonald	
Hagen	Main	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
McLean	Williams	Wipperman
Plain		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Cox	Pierce
Brown	Little	Simpson
Carroll	Lofthus	

Messrs. Benson, Brown, Carroll, Cox and Pierce being excused.
So the bill passed and the title was agreed to.

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 on the final passage of the bill.

The roll was called and there were ayes 32, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	McLean
Cashel	Jacobson	Plain
Clarke	Johnson	Regan
Crane	Kirkeide	Robinson
Devlin	LaMoure	Simpson
Fox	Lavayea	Swenson
Garnett	Lewis	Taylor
Geer	Lofthus	Voss
Gulack	Macdonald	Williams
Hagen	Main	Wipperman
Hale	McArthur	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Cox	Sharpe
Brown	Little	Talcott
Carroll	Pierce	

Messrs. Benson, Brown, Carroll, Cox and Pierce 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.

The question being upon the final passage of the bill.

The roll was called and there were ayes 34, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Jacobson	Plain
Cashel	Johnson	Regan
Clarke	Kirkeide	Robinson
Crane	LaMoure	Sharpe
Devlin	Lavayea	Simpson
Fox	Lewis	Swenson
Garnett	Little	Taylor
Geer	Lofthus	Voss
Gulack	Macdonald	Williams
Hagen	Main	Wipperman
Hale	McArthur	
Herbrandson	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Carroll	Pierce
Brown	Cox	Talcott

Messrs. Benson, Brown, Carroll, Cox and Pierce being excused.
So the bill passed and the title was agreed to.

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 32, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Johnson	Plain
Cashel	Kirkeide	Robinson
Clarke	LaMoure	Sharpe
Crane	Lavayea	Simpson
Devlin	Lewis	Swenson
Garnett	Little	Talcott
Geer	Lofthus	Taylor
Gulack	Macdonald	Voss
Hagen	Main	Williams
Herbrandson	McArthur	Wipperman
Jacobson	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Cox	Pierce
Brown	Fox	Regan
Carroll	Hale	

Messrs. Benson, Brown, Carroll, Cox and Pierce 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 30, nays none, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	McArthur
Cashel	Jacobson	McLean
Clarke	Johnson	Robinson
Crane	Kirkeide	Sharpe
Devlin	LaMoure	Simpson
Garnett	Lewis	Swenson
Geer	Little	Talcott
Gulack	Lofthus	Taylor
Hagen	Macdonald	Voss
Hale	Main	Williams

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Fox	Regan
Brown	Lavayea	Wipperman
Carroll	Pierce	
Cox	Plain	

Messrs. Benson, Brown, Carroll, Cox and Pierce being excused.
So the bill passed and the title was agreed to.

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 29, nays none, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Cashel	Kirkeide	Robinson
Crane	Lewis	Sharpe
Devlin	Little	Simpson
Garnett	Lofthus	Swenson
Geer	Macdonald	Talcott
Gulack	Main	Taylor
Hagen	McArthur	Voss
Hale	McLean	Williams
Jacobson	Plain	Wipperman
Johnson	Regan	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Clarke	LaMoure
Benson	Cox	Lavayea
Brown	Fox	Pierce
Carroll	Herbrandson	

Messrs. Benson, Brown, Carroll, Cox and Pierce being excused.
So the bill passed and the title was agreed to.

Senate Bill No. 7,

A bill for an act to amend section 3127 of the Revised Codes, relating to the taxation of insurance companies.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 4, nays 23, absent and not voting, 13.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Hale	Simpson	Voss
Little		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Cashel	Johnson	Robinson
Crane	Kirkeide	Sharpe
Devlin	Lofthus	Swenson
Fox	Macdonald	Talcott
Garnett	Main	Taylor
Hagen	McArthur	Williams
Herbrandson	McLean	Wipperman
Jacobson	Plain	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Cox	Lavayea
Benson	Geer	Lewis
Brown	Gulack	Pierce
Carroll	LaMoure	Regan
Clarke		

Messrs. Benson, Brown, Carroll, Cox and Pierce being excused.
So the bill was lost.

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 third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 27, nays none, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Cashel	Jacobson	Plain
Crane	Johnson	Robinson
Fox	Kirkeide	Sharpe
Garnett	LaMoure	Simpson
Geer	Little	Swenson
Gulack	Lofthus	Talcott
Hagen	Macdonald	Taylor
Hale	McArthur	Voss
Herbrandson	McLean	Williams

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Cox	Pierce
Benson	Devlin	Regan
Brown	Lavayea	Wipperman
Carroll	Lewis	
Clarke	Main	

Messrs. Benson, Brown, Carroll, Cox and Pierce being excused.

So the bill passed and the title was agreed to.

Mr. Robinson moved

That Senate Bill No. 95 be amended by inserting in line 27 of section 3 of the printed bill, after the words "two hundred and fifty," the word "dollars."

Which motion prevailed.

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 third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 27, nays 4, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	McLean
Cashel	Jacobson	Plain
Clarke	Johnson	Robinson
Crane	LaMoure	Sharpe
Devlin	Lavayea	Simpson
Garnett	Lofthus	Talcott
Gulack	Macdonald	Taylor
Hagen	Main	Voss
Hale	McArthur	Wipperman

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Fox	Kirkeide	Regan
Geer		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Cox	Pierce
Brown	Lewis	Swenson
Carroll	Little	Williams

Messrs. Benson, Brown, Carroll, Cox and Pierce being excused.

So the bill passed and the title was agreed to.

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 third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 25, nays 9, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Kirkeide	Robinson
Cashel	Lavayea	Sharpe
Crane	Lewis	Simpson
Devlin	Lofthus	Swenson
Hagen	Macdonald	Taylor
Hale	Main	Williams
Herbrandson	McArthur	Wipperman
Jacobson	Plain	
Johnson	Regan	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Clarke	Gulack	McLean
Fox	LaMoure	Talcott
Geer	Little	Voss

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Carroll	Garnett
Brown	Cox	Pierce

Messrs. Benson, Brown, Carroll, Cox and Pierce being excused.
So the bill passed and the title was agreed to.

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 upon the final passage of the bill.

The roll was called and there were ayes 31, nays none, absent
and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	McLean
Cashel	Jacobson	Plain
Clarke	Johnson	Robinson
Crane	Kirkeide	Simpson
Devlin	LaMoure	Swenson
Fox	Lavayea	Taylor
Garnett	Lewis	Talcott
Geer	Lofthus	Voss
Gulack	Main	Williams
Hagen	McArthur	Wipperman
Hale		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Cox	Pierce
Brown	Little	Regan
Carroll	Macdonald	Sharpe

Messrs. Benson, Brown, Carroll, Cox and Pierce being excused.
So the bill passed and the title was agreed to.

Mr. Lavayea moved

That the rules be suspended and

That Senate Bill No. 129 be placed on its third reading and
final passage.

Which motion prevailed, and

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 third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 33, nays none, absent
and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	McLean
Cashel	Jacobson	Plain
Clarke	Johnson	Regan
Crane	Kirkeide	Robinson
Devlin	LaMoure	Simpson
Fox	Lavayea	Swenson

Messrs.—	Messrs.—	Messrs.—
Garnett	Little	Talcott
Geer	Lofthus	Taylor
Gulack	Macdonald	Voss
Hagen	Main	Williams
Hale	McArthur	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Cox	Pierce
Brown	Lewis	Sharpe
Carroll		

Messrs. Benson, Brown, Carroll, Cox and Pierce being excused.
So the bill passed and the title was agreed to.

FIRST READING OF HOUSE BILLS.

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 first time.

Mr. Simpson moved

That the rules be suspended and that House Bill No. 17 be given its second reading and reference.

Which motion prevailed.

SECOND READING OF HOUSE BILLS.

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.

Mr. Lavayea moved

That House Bill No. 17 be re-referred to the judiciary committee.

Roll call demanded

The roll was called and there were ayes 5, nays 24, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Crane	Lavayea	Plain
Geer	McLean	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	McArthur
Cashel	Jacobson	Regan
Devlin	Johnson	Simpson
Fox	Kirkeide	Talcott

Messrs.—
Garnett
Gulack
Hagen
Hale

Messrs.—
Lewis
Little
Lofthus
Macdonald

Messrs.—
Taylor
Voss
Williams
Wipperman

Absent and not voting:

Messrs.—
Benson
Brown
Carroll
Clarke

Messrs.—
Cox
LaMoure
Main
Pierce

Messrs.—
Robinson
Sharpe
Swenson

Messrs. Benson, Brown, Carroll, Cox and Pierce being excused.
So the motion was lost.

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 28, nays none, absent and not voting 12.

Those who voted in the affirmative were:

Messrs.—
Bacon
Cashel
Crane
Devlin
Fox
Garnett
Geer
Gulack
Hagen
Hale

Messrs.—
Herbrandson
Jacobson
Johnson
Kirkeide
LaMoure
Lavayea
Little
Lofthus
McArthur

Messrs.—
McLean
Plain
Regan
Simpson
Swenson
Talcott
Taylor
Williams
Wipperman

Absent and not voting:

Messrs.—
Benson
Brown
Carroll
Clarke

Messrs.—
Cox
Lewis
Macdonald
Main

Messrs.—
Pierce
Robinson
Sharpe
Voss

Messrs. Benson, Brown, Carroll, Cox and Pierce 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 -899, 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 31, nays none, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Jacobson	McLean
Cashel	Johnson	Plain
Clarke	Kirkeide	Regan
Crane	LaMoure	Sharpe
Devlin	Lavayea	Simpson
Fox	Lewis	Swenson
Geer	Little	Taylor
Gulack	Lofthus	Williams
Hagen	Macdonald	Wipperman
Hale	Main	
Herbrandson	McArthur	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Cox	Robinson
Brown	Garnett	Talcott
Carroll	Pierce	Voss

Messrs. Benson, Brown, Carroll, Cox and Pierce being excused.

So the bill passed and the title was agreed to.

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 32, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	Plain
Cashel	Jacobson	Regan
Clarke	Johnson	Robinson
Crane	Kirkeide	Sharpe
Devlin	LaMoure	Simpson
Fox	Lavayea	Swenson
Garnett	Little	Taylor
Geer	Lofthus	Voss
Gulack	Main	Williams
Hagen	McArthur	Wipperman
Hale	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Cox	Pierce
Brown	Lewis	Talcott
Carroll	Macdonald	

Messrs. Benson, Brown, Carroll, Cox and Pierce being excused.

So the bill passed and the title was agreed to.

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 33, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	McLean
Cashel	Jacobson	Plain
Clarke	Johnson	Regan
Crane	Kirkeide	Robinson
Devlin	LaMoure	Sharpe
Fox	Lavayea	Simpson
Garnett	Little	Swenson
Geer	Lofthus	Taylor
Gulack	Macdonald	Voss
Hagen	Main	Williams
Hale	McArthur	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Cox	Pierce
Brown	Lewis	falcott
Carroll		

Messrs. Benson, Brown, Carroll, Cox and Pierce being excused.

So the bill passed and the title was agreed to.

Mr. Johnson moved

That House Bill No. 44 be re-referred to the judiciary committee.

Which motion prevailed.

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 27, nays none, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	McLean
Cashel	Herbrandson	Plain
Clarke	Jacobson	Robinson
Crane	Kirkeide	Simpson
Devlin	LaMoure	Swenson
Garnett	Lavayea	Taylor
Geer	Little	Voss
Gulack	Macdonald	Williams
Hagen	McArthur	Wipperman

Absent and not voting:

Messrs.—
 Benson
 Brown
 Carroll
 Cox
 Fox

Messrs.—
 Johnson
 Lewis
 Lofthus
 Main

Messrs.—
 Pierce
 Regan
 Sharpe
 Talcott

Messrs. Benson, Brown, Carroll, Cox and Pierce being excused.
 So the bill passed and the title was agreed to.

REPORTS OF STANDING COMMITTEES.

The committee on enrolled and engrossed bills made the following report:

Mr. President:

Your committee on enrolled bills respectfully report that at the hour of 3:10 p. m., on February 11th

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.

Also,

That at the hour of 2:40 p. m., on February 13th

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. 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 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.

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.

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 erection and equipment of necessary additional buildings and for City and Mayville.

Also,

That at the hour of 2:55 p. m. this day

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. 50,

A bill for an act requiring the superintendent of public instruction to publish and distribute the proceedings of the North Dakota educational association.

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.

Also,

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. 61,

A bill for an act to amend section 481 of the Revised Codes of 1899, providing for the formation of election precincts.

Were delivered to his excellency, the governor, for his approval.

Very respectfully,

H. E. LAVAYEA,

Chairman.

MESSAGE FROM THE GOVERNOR.

The following message was received from the governor:

EXECUTIVE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 24, 1903.

To the Senate:

I have the honor to inform you that I have approved and filed with the honorable secretary of state

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. 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.

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.

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. 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.

I have the honor to be,

Respectfully,
FRANK WHITE,

Governor.

The secretary announced that the president 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.

And the president signed the same in the presence of the senate.

Mr. Simpson moved

That the senate do now adjourn,

Which motion prevailed, and

The senate adjourned.

R. M. TUTTLE,

Secretary.

FIFTY-FIRST DAY

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 25, 1903.

The senate met at 2 o'clock p. m. pursuant to adjournment.

The president presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Benson, Brown, Carroll, Cox and Pierce, who were excused.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Lakota, N. D., Feb. 11, 1903.

To the Honorable Iver Swenson, 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 137, as we believe that the firemen are entitled to this recognition at the hands of the people.

LEON DUPIUS,
and 46 others.

Elbowoods, N. D., Feb. 14, 1903.

Honorable A. E. Johnson:

Dear Sir: We are interested in the passage of the anti-cigarette bill, and of the bill raising the age of consent. We hope you will earnestly advocate the passage of these bills when they come up. They promise to add greatly to the physical and moral strength of the people of our state. Let our legislators set the standard high and our people will follow. Our older men ought to be willing to sacrifice in the indulgence of a bad habit for the sake of our children who are being dwarfed in body and soul by its indulgence.

Sincerely yours,
C. L. HALL,
Superintendent,
SUSAN W. HALL,

Cooperstown, N. D., Feb. 14, 1903.

To the Honorable Maynard Crane and N. B. Cassell, John Paulfry and Staven, of the Sixteenth 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 137, as we believe that the firemen are entitled to this recognition at the hands of the people.

GEORGE NEWBERRY,
and 52 others.

Washburn, N. D. Feb. 12, 1903.

To the Honorable August E. Johnson, Bartz, and Dieball. Senators and Representatives of the Thirty-fifth 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 137, as we believe that the firemen are entitled to this recognition at the hands of the people.

C. G. FORBES,
and 50 others.

Hope, N. D., Feb. 16, 1903

To the Honorable Maynard Crane, of the Sixteenth 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 137, as we believe that the firemen are entitled to this recognition at the hands of the people.

C. L. BOWEN,
and 58 others.

REPORTS OF STANDING COMMITTEES.

The committee on highways and bridges made the following report:

Mr. President:

Your committee on highways and bridges to whom was referred Senate Bill No. 190,

A bill for an act to amend and re-enact section 1090 of the Revised Codes of the revision of 1899.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. MACDONALD,
Chairman.

Mr. Macdonald moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on agriculture made the following report:

Mr. President:

Your committee on agriculture to whom was referred

House Bill No. 122,

A bill for an act to amend section 163, of chapter 4, of the Re-

vised Codes of 1899, relating to county agricultural fairs.
Have had the same under consideration and recommend that the same be indefinitely postponed.

IVER SWENSON,
Chairman.

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

The committee on agriculture made the following report:

Mr. President:

Your committee on agriculture 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 same do pass.

IVER SWENSON,
Chairman.

The committee on agriculture made the following report:

Mr. President:

Your committee on agriculture 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 be amended as follows:

In line 7, of the printed bill, after the word "exceed," strike out the word "two," and insert in lieu thereof the word "five."

And when so amended recommend the same do pass.

IVER SWENSON,
Chairman.

Mr. Swenson moved
That the report be adopted.
Which motion prevailed, and
The report was adopted.

The committee on education made the following report:

Mr. President:

Your committee on education 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 same be indefinitely postponed.

HENRY HALE,
Chairman.

A minority of the committee on elections made the following report:

Mr. President:

A minority of your committee on elections to whom was referred Senate Bill No. 70, dissent from the majority of the committee.

We believe that the legislative power is inherent in the people and should be vested in them; that they should be clothed with the right to initiate and refer important measures to the electors of the state which the legislative assembly neglected or refused to act upon, and that they should also possess the power of vetoing through the elective franchise, enactments of a detrimental or injurious character.

We, the minority of your committee, are of the opinion that, should the powers contained in this concurrent resolution be vested in the people, greater care would be exercised by their members in the legislative assembly in the enactment of laws in order to avoid the criticisms of their constituents at the polls. Therefore, we recommend that the report of the minority be substituted for that of the majority, and that it be recommended that the bill do pass.

(Signed.)

G. O. GULACK,
J. L. CASHEL,
W. J. ROBINSON,
ALEX. MACDONALD.

Mr. Cashel moved

That the minority report be substituted for the majority report.

Roll call demanded.

The roll was called and there were ayes 20, nays 15, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Johnson	Plain
Cashel	Kirkeide	Robinson
Crane	Lavayea	Swenson
Geer	Lofthus	Taylor
Gulack	Macdonald	Williams
Hagen	Main	Wipperman
Herbrandson	McArthur	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Clarke	Jacobson	Regan
Devlin	LaMoure	Sharpe
Fox	Lewis	Simpson
Garnett	Little	Talcott
Hale	McLean	Voss

Absent and not voting:

Messrs.—

Benson
Brown

Messrs —

Carroll
Cox

Messrs.—

Pierce

Messrs. Benson, Brown, Carroll, Cox and Pierce being excused.

So the minority report was adopted.

The committee on judiciary made the following report:

Mr President:

Your committee on judiciary 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 do pass.

C. B. LITTLE,
Chairman.

The committee on judiciary made the following report:

Mr. President:

Your committee on judiciary to whom was referred

Senate Bill No. 104,

A bill for an act to amend sections 4791, 4792 and 4799 of the Revised Codes of 1899, relating to mechanics' liens.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. B. LITTLE,
Chairman.

Mr. Little 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. President:

Your committee on judiciary to whom was referred

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. 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 do pass.

The committee on judiciary made the following report:

Mr. President:

Your committee on judiciary to whom was referred

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 be amended as follows:

After the word "proper," in line 7, of section 1, of printed bill, insert the following:

"Provided this act does not repeal article 2, of chapter 4, of the political code of revised codes of 1899."

And when so amended recommend the same do pass.

C. B. LITTLE,
Chairman.

Mr. Little moved

That the report be adopted.

Which motion prevailed, and

The report of the committee be adopted.

The committee on judiciary made the following report:

Mr. President:

Your committee on judiciary 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 Wallete and Howard, Dakota Territory, approved March 9th, 1883."

Have had the same under consideration, and recommend that the same be amended as follows:

That the title be amended to read as follows:

"A bill for an act to amend and re-enact sections 4 and 6, of 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 Ward and Williams.'"

That the words "and re-enacted" be inserted after the word "amended," in line 2, of section 1, of the printed bill.

And when so amended recommend the same do pass.

C. B. LITTLE,
Chairman.

Mr. Little 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. President:

Your committee on judiciary to whom was referred
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.

C. B. LITTLE
Chairman.

The committee on enrolled and engrossed bills made the following report:

Mr. President:

Your committee on enrolled and engrossed bills have examined
Senate Bill No. 129,
A bill for an act to amend section 5124 of the civil code of the
Revised Codes of North Dakota.

Also,
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. 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. 174,
A bill for an act to validate ordinance and resolution provid-

ing 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. 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. 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. 203,

A bill for an act attaching certain unorganized counties and territory to the organized county of Stark for judicial purposes and find the same correctly enrolled.

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. 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. 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. 202,

A bill for an act to amend and re-enact section 1986, Revised Codes of North Dakota, revision of 1899.

And find the same correctly engrossed.

H. E. LAVAYEA,
Chairman.

The committee on ways and means made the following report:
Mr. President:

Your committee on ways and means 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.

J. B. SHARPE,
 Chairman.

MOTIONS AND RESOLUTIONS.

The courtesies of the floor were extended to the following: E. C. Cooper, L. A. Uland, Clarke Moore, John Miller, Geo. T. Webb, E. R. Sinkler, F. C. Bannon, M. L. Rude, Oluf Hagen, T. G. Dahl, G. K. Kemtson, E. T. Burke, Hugh McDowall, W. Lavin, Hon. A. N. Carlblom, D. J. McKenzie, D. J. Jones, Ole Wedin.

Mr. Hagen introduced 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."

Mr. Hagen moved that the resolution be adopted.

Roll call demanded.

The roll was called and there were ayes 31, nays 2, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Johnson	Regan
Cashel	Kirkeide	Robinson
Clarke	LaMoure	Sharpe
Crane	Lavayea	Simpson
Devlin	Lewis	Swenson
Garnett	Lofthus	Talcott
Geer	Macdonald	Taylor
Hagen	Main	Williams
Hale	McArthur	Wiperman
Herbrandson	McLean	
Jacobson	Plain	

Absent and not voting:

Messrs —	Messrs.—	Messrs.—
Benson	Cox	Pierce
Brown	Gulack	
Carroll	Little	

Messrs. Fox and Voss voting in the negative.

Messrs. Benson, Brown, Carroll, Cox and Pierce being excused.

So the resolution was adopted.

INTRODUCTION AND FIRST AND SECOND READING OF SENATE BILLS.

Mr. Bacon introduced
Senate Bill No. 219,

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.

Mr. Cashel introduced
Senate Bill No. 220,

A bill for an act to establish a state dispensary by and for the state of North Dakota for the purchase and sale of intoxicating liquors, and for the control and regulation thereof.

Which was read the first and second times, and
Referred to the committee on temperance.

Mr. McArthur introduced
Senate Bill No. 221,

A bill for an act amending section 7594 of the Revised Codes of North Dakota of 1899, relating to druggist's permit.

Which was read the first and second times, and
Referred to the committee on temperance.

Mr. Wipperman introduced

Senate Bill No. 222,

A bill for an act to prohibit the use of any free pass or frank, or privilege withheld from any person, for the traveling accommodation or transportation of any person or property or the transmission of any message or communication.

Which was read the first and second times, and

Referred to the committee on judiciary.

Mr. Kirkeide introduced

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.

Which was read the first and second times, and

Referred to the committee on judiciary.

Mr. Kirkeide introduced

Senate Bill No. 224,

A bill for an act to amend sections 5872 and 5881 of the Revised Codes of North Dakota, 1899, relating to the certificate of sale to be given, the deed and effect thereof, and the redemption of real property on foreclosure of real property by action.

Which was read the first and second times, and

Referred to the committee on judiciary.

Mr. Garnett introduced

Senate Bill No. 225,

A bill for an act licensing auctioneers and prescribing penalties for acting as such without license.

Which was read the first and second times, and

Referred to the committee on state affairs.

Mr. Johnson introduced

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.

Which was read the first and second times, and

Referred to the committee on state affairs.

THIRD READING OF SENATE BILLS.

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 32, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	McLean
Cashel	Jacobson	Plain
Clarke	Johnson	Regan
Crane	Kirkeide	Robinson
Devlin	Lavayea	Sharpe
Fox	Lewis	Swenson
Garnett	Little	Talcott
Geer	Lofthus	Taylor
Gulack	Macdonald	Williams
Hagen	Main	Wipperman
Hale	McArthur	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Cox	Simpson
Brown	LaMoure	Voss
Carroll	Pierce	

Messrs. Benson, Brown, Carroll, Cox and Pierce being excused.

So the bill passed and the title was agreed to.

Mr. Lewis moved

That the vote by which

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 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 114,

A bill for an act to amend chapter 179 of the session laws of 1901.

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 none, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	Plain
Cashel	Jacobson	Regan
Clarke	Johnson	Robinson
Crane	Kirkeide	Sharpe
Devlin	Lewis	Swenson
Fox	Lofthus	Talcott
Garnett	Macdonald	Taylor
Geer	Main	Voss
Gulack	McArthur	Williams
Hagen	McLean	Wipperman

Absent and not voting:

Messrs —	Messrs.—	Messrs.—
Benson	Cox	Little
Brown	LaMoure	Pierce
Carroll	Lavyea	Simpson

Messrs. Benson, Brown, Carroll, Cox and Pierce being excused.

So the bill passed.

Mr. Regan offered the following amendment to Senate Bill No. 114, making the bill read as follows:

Senate Bill No. 114,

A bill for an act to amend chapter 179 of the session laws of 1901, relating to the maintenance of station houses.

Which motion prevailed, and

The title was so amended.

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 31, nays none, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs —	Messrs —
Cashel	Jacobson	Regan
Clarke	Johnson	Robinson
Crane	Kirkeldc	Sharpe
Devlin	Lewis .	Simpson
Fox	Lofthus	Swenson
Garnett	Macdonald	Talcott
Geer	Main	Taylor
Gulack	McArthur	Voss
Hagen	McLean	Williams
Hale	Plain	Wipperman
Herbrandson		

Absent and not voting:

Messrs.—	Messrs —	Messrs —
Bacon	Carroll	Lavyea
Benson	Cox	Little
Brown	LaMoure	Pierce

Messrs. Benson, Brown, Carroll, Cox and Pierce being excused.

So the bill passed and the title was agreed to.

Mr. Hale moved

That the vote by which
Senate Bill No. 198

Was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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 33, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—

Bacon
Cashel
Clarke
Crave
Devlin
Fox
Garnett
Gulack
Hagen
Hale
Herbrandson

Messrs.—

Jacobson
Johnson
Kirkeide
Lavayer
Lewis
Little
Lofthus
Macdonald
Main
McArthur
McLean

Messrs.—

Plain
Regan
Robinson
Sharpe
Simpson
Swenson
Talcott
Taylor
Voss
Williams
Wippertan

Absent and not voting:

Messrs.—

Benson
Brown
Carroll

Messrs.—

Cox
Geer

Messrs.—

LaMoure
Pierce

Messrs. Benson, Brown, Carroll, Cox and Pierce being excused.

So the bill passed and the title was agreed to.

Mr. Simpson moved

That the vote by which
Senate Bill No. 204

Was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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 upon the final passage of the bill.

The roll was called and there were ayes 33, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	Plain
Cashef	Jacobson	Regan
Clarke	Johnson	Robinson
Crane	Kirkeide	Sharpe
Devlin	LaMoure	Simpson
Fox	Lewis	Swenson
Garnett	Lofthus	Talcott
Geer	Maddorald	Taylor
Gulack	Main	Voss
Hagen	McArthur	Williams
Hale	McLean	Wipperrnan

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Cox	Little
Brown	Lavayea	Pierce
Carroll		

Messrs. Benson, Brown, Carroll, Cox and Pierce being excused.

So the bill passed and the title was agreed to.

Mr. Simpson moved

That the vote by which

Senate Bill No. 155

Was passed be reconsidered and the motion 'to reconsider be laid on the table.

Which motion prevailed.

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.

Mr. Simpson moved that the following amendment to Senate Bill No. 202 be adopted:

Add to title after 1899, the following:

"Relating to the appointment of state's attorneys by the court."

Also after the words "section 1," insert the following.

"That section 1986, of the revised codes of 1899 be amended and re-enacted so as to read as follows:"

Which motion prevailed.

The question being upon the final passage of the bill.

The roll was called and there were ayes 33, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	McLeaz
Cashef	Jacobson	Plain
Clarke	Johnson	Robinson
Crane	Kirkeide	Sharpe
Devlin	Lavayea	Simpson

Messrs.—	Messrs.—	Messrs.—
Fox	Lewis	Svenson
Garnett	Little	Talcott
Geer	Lofthus	Taylor
Gulack	Macdonald	Voss
Hagen	Main	Williams
Hale	McArthur	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Cox	Pierce
Brown	LaMoure	Regan
Carroll		

Messrs. Benson, Brown, Carroll, Cox and Pierce being excused.

So the bill passed and the title was agreed to.

Mr. Sharpe moved

That the vote by which

Senate Bill No. 159

Was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Sharpe moved

That Senate Bill No. 159 be amended as follows:

In line 4' of the printed bill, after the word "state," insert the figure "3."

Which motion prevailed, and

The bill was so amended.

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 third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 26, nays 6, absent and not voting, 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	Plain
Cashel	Herbrandson	Regan
Crane	Johnson	Robinson
Devlin	Kirkeide	Sharpe
Fox	Lavayea	Simpson
Garnett	Lewis	Talcott
Geer	Lofthus	Taylor
Gulack	Main	Williams
Hagen	McArthur	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
LaMoure	Macdonald	Voss
Little	McLean	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Clarke	Pierce
Brown	Cox	Swenson
Carroll	Jacobson	

So the bill passed and the title was agreed to.

Mr. Simpson moved
That the vote by which
Senate Bill No. 159

Was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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 32, nays none absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Johnson	Plain
Cashel	Kirkeide	Regan
Clarke	LaMoure	Robinson
Crane	Lavayea	Simpson
Devlin	Lewis	Swenson
Garnett	Little	Talcott
Geer	Lofthus	Taylor
Gulack	Macdonald	Voss
Hagen	Main	Williams
Hale	McArthur	Wipperman
Herbrandson	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Cox	Pierce
Brown	Fox	Sharpe
Carroll	Jacobson	

Messrs. Benson, Brown, Carroll, Cox and Pierce being excused.

So the bill passed and the title was agreed to.

Mr. Taylor moved

To amend the title to Senate Bill No. 195 as follows:

Amend title by striking out all after the words "section 7282," and insert in lieu thereof the following:

"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."

Which motion prevailed.

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.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 32, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	Plain
Cashel	Johnson	Regan
Clarke	Kirkeide	Robinson
Crane	Lavayea	Sharpe
Devlin	Lewis	Simpson
Fox	Little	Swenson
Garnett	Lofthus	Talcott
Geer	Macdonald	Taylor
Gulack	Main	Voss
Hagen	McArthur	Williams
Hale	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Cox	Pierce
Brown	Jacobson	Wiperman
Carroll	LaMoure	

Messrs. Benson, Brown, Carroll, Cox and Pierce being excused.

So the bill passed and the title was agreed to.

Mr. McArthur moved

The following amendment to title of Senate Bill No. 124.

An act relating to the report and compensation of road commissioners.

Which motion prevailed.

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 32, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Johnson	Regan
Cashel	Kirkeide	Robinson
Clarke	Lavayea	Sharpe
Crane	Lewis	Simpson
Devlin	Little	Swenson
Fox	Lofthus	Talcott
Garnett	Macdonald	Taylor
Gulack	Main	Voss
Hagen	McArthur	Williams
Hale	McLean	Wiperman
Herbrandson	Plain	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Berson	Cox	LaMoure
Brown	Geer	Pierce
Carroll	Jacobson	

Messrs. Benson, Brown, Carroll, Cox and Pierce being excused.
So the bill passed and the title was agreed to.

Mr. Voss moved

That Senate Bill No. 126 be amended by inserting just before the emergency clause the following:

Provided that the provisions of this act shall not apply to any action or proceeding now pending or hereafter to be commenced between the fee owner of land, and any person or corporation holding a tax certificate or tax deed therefor, involving the validity of such tax certificate or tax deed.

Which motion prevailed.

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 22, nays 7, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	LaMoure	Sharpe
Cashel	Lavayea	Simpson
Gulack	Lewis	Talcott
Hagen	Little	Taylor
Hale	Macdonald	Voss
Herbrandson	McLean	Williams
Johnson	Regan	
Kirkeide	Robinson	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Crane	Lofthus	Wipperman
Devlin	McArthur	
Geer	Plain	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Cox	Main
Brown	Fox	Pierce
Carroll	Garnett	Swenson
Clarke	Jacobson	

Messrs. Benson, Brown, Carroll, Cox and Pierce 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 32, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Johnson	Plain
Cashel	Kirkeide	Regan
Clarke	LaMoure	Robinson
Crane	Lavayea	Sharpe
Devlin	Lewis	Simpson
Fox	Little	Swenson
Garnett	Lofthus	Taylor
Geer	Macdonald	Voss
Gulack	Main	Williams
Hagen	McArthur	Wipperman
Hale	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Cox	Pierce
Brown	Herbrandson	Talcott
Carroll	Jacobson	

Messrs. Benson, Brown, Carroll, Cox and Pierce being excused.

So the bill passed and the title was agreed to.

Mr. LaMoure moved

That all house bills have their first and second reading and reference.

Which motion prevailed.

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 first and second times, and
Referred to the committee on elections.

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 first and second times, and
Referred to the committee on judiciary.

House Bill No. 195,

A bill for an act to define vagrancy, and prescribing punishment for vagrancy.

Was read the first and second times, 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 first and second times, and

Referred to the committee on agriculture.

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 first and second times, and

Referred to the committee on appropriations.

MESSAGE FROM THE HOUSE.

The following message was received from the house:

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 25, 1903.

Mr. President:

I have the honor to transmit herewith

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,

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. 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. 195,

A bill for an act to define vagrancy, and prescribing punishment for vagrancy.

Also,

House Bill No. 139,

A bill for an act to regulate the sale and analysis of commercial fertilizers and prescribing a penalty for the violation thereof.

Which the house has passed and your favorable consideration thereof is respectfully requested.

A. O. ANDERSON,

Chief Clerk.

Mr. President:

I have the honor to inform you that the house has concurred in the concurrent resolution relating to printing an additional edition of the second biennial report of the State Geological Survey.

Also transmit herewith the following concurrent resolution:

CONCURRENT RESOLUTION.

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

That the United States senators and members of congress from the state of North Dakota are earnestly requested and urged to use every effort to defeat that feature of the so-called Quarles bill, now pending before congress, to repeal the commutation feature of the existing United State homestead law.

We believe that such legislation is inimical to the interests of a great section of this state, and will result in great hardship to the poorer classes of settlers, and present insurmountable obstacles to their obtaining credit, necessary to help them in the improvement and perfection of their homes, and will render it impossible for any except those who have abundant means to secure homes for themselves.

Whatever may be the exigencies, if any, that demand such legislation in other parts of the country, they have no application here.

That this resolution be communicated at once to said senators and representatives.

Which the house has adopted, and your concurrence therein is requested.

Mr. Robinson moved

That the senate do now adjourn.

Which motion prevailed, and

The senate adjourned.

R. M. TUTTLE,

Secretary.

FIFTY-SECOND DAY

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 26, 1903.

The senate met at 2 o'clock p. m., pursuant to adjournment.

The president presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Benson, Cox and Pierce, who were excused.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

The following petition was presented:

We, the undersigned farmers of Towner 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.

J. W. McVEY,
And 125 Others.

Mr. LaMoure presented the following petition:

To Judson LaMoure, Chairman Committee on Appropriations:

We, the undersigned, citizens and old settlers of Richland county, North Dakota, petition you and pray that you, as chairman, and the members in general of said committee, exercise your influence for and in the passage of a bill to be presented for an appropriation to be used for the purchase and improvement of grounds and erection of buildings thereon for park and historical purposes at places of historical interest and significance within the state.

In this connection we respectfully call your attention to the fact that at the annual meeting of the R. R. V. Old Settlers Association held at Wahpeton, N. D., last June and at which more than 200 members were present from different parts of the valley, there was passed a resolution to

the effect that a public park be established at Old Fort Abercrombie and also to purchase the old fort buildings and to improve and restore the same in the best possible manner.

H. J. HAGEN,
And 98 Others.

Mr. Jacobson presented the following petition:

Minot, N. D., Feb. 22, 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. F. M'KANE,
and 20 others.

Mr. McArthur presented the following petitions:

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.

J. S. FERGUSON,
and 20 others.

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 of Bottineau, state of North Dakota, on Feb. 20 and 21, and the undersigned were authorized to so attest.

G. K. VIKAN,
and 30 others.

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 of Bottineau, state of North Dakota, on Feb. 22, 1903, and the undersigned were authorized to so attest.

REV. F. C. JOHNSON,
Chairman.

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 people at morning

service, in the city of Leonard, Cass county, state of North Dakota, on Feb. 22, 1903, and the undersigned were authorized to so attest.

M. E. WATTS,
Chairman,
REV. A. HAYES,
M. E. VASTEOR,
and 30 others.

The committee on appropriations made the following report:

Mr. President:

Your committee on appropriations 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 thereto

Have had the same under consideration and recommend that the same be amended as follows:

Strike out the figures "1,000," in line 7, of the printed bill, and insert in place thereof, the figures "2,000."

Strike out the figures "2,500," in line 14, of the printed bill, and insert in place thereof, the figures "1,500."

And when so amended recommend the same do pass.

JUDSON LaMOURE,
Chairman.

The committee on appropriations made the following report:

Mr. President:

Your committee on appropriations to whom was referred:

Senate Bill No. 98,

A bill for an act to appropriate money to Patrick McGinley for board and lodging furnished jurors in criminal cases arising in the unorganized county of Allred in the year A. D. 1897.

Have had the same under consideration and recommend that the same be indefinitely postponed.

Also,

Senate Bill No. 97,

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.

JUDSON LaMOURE,
Chairman.

Mr. LaMoure moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Mr. President:

Your committee on appropriations to whom was referred:

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.

Have had the same under consideration and recommend that the same do pass.

JUDSON LaMOURE,
Chairman.

The committee on appropriations made the following report:
Mr. President:

Senate Bill No. 3,

Your committee on appropriations to whom was referred:

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 be amended as follows:

By striking out lines 3 and 4, page 1, of the printed bill, the words, "three dollars; for each pup wolf or pup coyote killed, the sum of one dollar." and inserting in lieu thereof, the following: "two dollars and fifty cents."

By inserting after the word "record," in line numbered 16, page 3, of the printed bill, the following: "The holders of the certificates issued under the provisions of this act to be deposited with the county auditor of the county wherein issued, who shall on the first business day of each month forward all such certificates in his possession to the state auditor for registration and payment as hereinafter provided."

By striking out the words "and one-half," in line 2, page 4, of the printed bill.

And when so amended recommend the same do pass.

JUDSON LaMOURE,
Chairman.

Mr. LaMoure 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. President:

Your committee on appropriations 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 be amended as follows:

After the word "employees," in line 8, of the printed bill, insert the words "and expenses."

And when so amended recommend that the same do pass.

JUDSON LaMOURE.

Chairman.

Mr. LaMoure 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. President:

Your committee on appropriations to whom was referred:

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.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out all of section 1, and insert in lieu thereof, the following:

Section 1. Appropriation.) There is hereby appropriated out of the money in the state treasury, not otherwise appropriated, the sum of twenty-eight thousand dollars (\$28,000) for the maintenance and improvement of the Industrial School and School for Manual Training, for the period beginning Nov. 1, 1903, and ending March 31, 1905, viz.:

For salaries faculty.....	\$ 14,975
For janitor and engineer.....	2,000
For material and furnishing.....	1,500
For water supply	75
For fuel	1,400
For incidental expenses	4,000
For domestic science and art	700
For fine arts and craft	500
For physical laboratory	350
For general library	200
For improvement of grounds	200
For lights	300
For mechanic arts	500
For gymnasium	100
For commercial department.....	500
For chemical department	400
For repairing manual training building.....	300

Total \$ 28,000

And when so amended recommend the same do pass.

JUDSON LaMOURE,

Chairman.

Mr. LaMoure 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. President:

Your committee on appropriations 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 "ten," in line 16, of the printed bill, and insert in lieu thereof, the word "eight."

And when so amended recommend the same do pass.

JUDSON LaMOURE,
Chairman.

Mr. LaMoure 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. President:

Your committee on appropriations 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,

Have had the same under consideration and recommend that the same be amended as follows:

By striking out the figures "1,500," in line 2, of the printed bill, and inserting in lieu thereof the figures "750."

And when so amended recommend the same do pass.

JUDSON LaMOURE,
Chairman.

The committee on appropriations made the following report:

Mr. President:

Your committee on appropriations 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 per-

form 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 be amended as follows:

By striking out the figures "900," in line 2, of the printed bill, and inserting in lieu thereof, the figures "500."

And when so amended recommend the same do pass.

JUDSON LaMOURE,

Chairman.

Mr. LaMoure 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. President:

Your committee on appropriations 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.

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.

Have had the same under consideration and recommend that the same do pass.

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.

Have had the same under consideration and recommend that the same do pass.

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.

Have had the same under consideration and recommend that the same do pass.

JUDSON LaMOURE,
Chairman.

The committee on appropriations made the following report:

Mr. President:

Your committee on appropriations to whom was referred:
Senate Bill No. 182,

A bill for an act making an appropriation to be expended under the direction of the board of trustees of the state university and school of mines, for the purpose of continuing the geological and natural history survey of the state and for the purpose of ascertaining what lands of this state contain deposits of lignite coal and for fully carrying out the provisions of section 155 of the constitution of this state relating to lands bearing lignite coal.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JUDSON LaMOURE,
Chairman.

Mr. LaMoure 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 President:

Senate Bill No. 171,

Your committee on appropriations to whom was referred:

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 "twenty," in line 4, of section 1, of printed bill, and inserting in lieu thereof the word "nineteen."

Also by striking out the word "twenty," in line 8, of section 1, of printed bill, and inserting in lieu thereof, the word "nineteen."

And when so amended recommend the same do pass.

JUDSON LaMOURE,
Chairman.

Mr. LaMoure 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. President:

Your committee on appropriations to whom was referred:

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 "\$59,265," in line 4, section 1, of the printed bill, and inserting in lieu thereof, the figures "\$59,765."

By striking out the words and figures "from September 1, 1903," in lines 18 and 19, of the printed bill.

By striking out the figures "500" in line 20, of the printed bill, and inserting the figures "750."

By striking out the figures "500," in line 21, of the printed bill, and inserting the figures "750."

By striking out the figures "1,500," in line 23, of the printed bill, and inserting the figures "1,000."

By inserting after line 24, of the printed bill, the following:

"Transportation of patients from Jamestown to Grafton, 500."

By making line 25, of the printed bill, read as follows: "Total, \$59,765."

And when so amended recommend the same do pass.

JUDSON LaMOURE,
Chairman.

Mr. LaMoure 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. President:

Your committee on appropriations 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:

By striking out of the title of said bill the following: "And for permanent improvements thereto."

By striking out all of section 1, of said bill, and inserting in lieu thereof, the following:

Section 1. There is hereby appropriated the following sums of money, or so much thereof as may be necessary, out of the moneys of the state treasury not otherwise appropriated, for the purpose of paying the current and contingent expenses of the State Reform School at Mandan:

For maintenance and salaries of superintendent and assistants..	\$ 12,000
For transportation of children now in Plankinton Reform School, to Mandan	500
For physicians and medicines	500
For clothing	500
For lights and fuel	1,000
For incidental expenses	2,000

Total	\$ 16,500
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And when so amended recommend the same do pass.

JUDSON LaMOURE,
Chairman.

Mr. LaMoure 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. President:

Your committee on appropriations 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 be amended as follows:

In the first line of section 1, of the engrossed bill, strike out the figures "867, 867a, 869 and 870," where they occur in said line.

Strike out all of sections 2, 3 and 4, of the engrossed bill.

Strike out the word "twice," where it occurs in the fourth line in section 5, of the engrossed bill, and insert in lieu thereof, the word "once."

In the fourth line of section 5, of the engrossed bill, strike out the words "by the." In section 5, line 5, strike out the words "high school inspector," and insert in lieu thereof the words "by a committee of one or more members."

Also strike out the words and figures "twelve thousand five hundred, (\$12,500)" wherever they occur in lines 17, 18 and 19, of section 2, of the engrossed bill, and insert correspondingly the words and figures "ten thousand (\$10,000)," in lieu thereof.

Also add to section 2, of the engrossed bill the following:

"Provided, however, that in case the amount appropriated and available under this act for the payment of aid to such schools shall in any

year be insufficient to apportion each of such high schools as are entitled thereto, the full amount intended to be apportioned to the high schools of the various classes, then in such case such amount as is appropriated and available shall be apportioned pro rata among all the schools entitled thereto."

In the last line of section 4, of the engrossed bill, strike out the words "excepting the high school inspector," and properly re-number the sections of the engrossed bill.

And when so amended recommended that the same do pass.

JUDSON LaMOURE,
Chairman.

Mr. LaMoure 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. President:

Your committee on appropriations to whom was referred:

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.

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.

Have had the same under consideration, and recommend that the same do pass.

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.

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.

Have had the same under consideration and recommend that the same do pass.

JUDSON LaMOURE,
Chairman.

The committee on appropriations made the following report:
Mr. President:

Your committee on appropriations to whom was referred:
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 be amended as follows:

Strike out all of section 1, and insert in lieu the following:

Section 1. Appropriation.) There is hereby appropriated out of any money in the state treasury, not otherwise appropriated, for the purpose of paying the current and contingent expenses of the state hospital for the insane at Jamestown for the fiscal years 1903 and 1904, the sum of one hundred forty-four thousand five hundred and fifty (\$144,550) dollars, or so much thereof as may be necessary, as follows:

Resident officers' salaries	\$ 12,800
Maintenance	60,000
Employes' wages	34,000
Fuel	25,000
Beds, bedding and furniture	4,000
Drugs and medicines	2,500
Return of patients and burial of dead	1,600
Paints and painting	1,500
Library and amusements	1,000
Farm machinery	500
Electric supplies and repairs	250
Engine room supplies	300
Blacksmith shop supplies	300
Plumbing and repairs to steam and water supply.....	500
Laundry repairs	300
Fire department	300
Total	\$ 144,550

JUDSON LaMOURE,
Chairman.

Mr. LaMoure 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. President:

Your committee on appropriations to whom was referred:
Senate Bill No. 184.

A bill for an act authorizing the purchase of vehicles, horses, etc., and the employment of a coachman for the use of the governor's office and the executive mansion and making appropriation therefor.

Have had the same under consideration and recommend that the same be amended as follows:

That the title of said bill be amended so as to read as follows: "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."

That section 1, of the bill be amended so as to read as follows:

Section 1. Board of Trustees Public Property to Purchase Carriages, etc.) The board of trustees of public property is hereby authorized to purchase one closed carriage, one open carriage, harness and other necessary equipment for the use of the governor's office and the executive mansion.

That in line 2, of section 2, of the printed bill, the words "four thousand," be stricken out and the words "two thousand five hundred," be inserted in lieu thereof.

And when so amended recommend the same do pass.

JUDSON LaMOURE,
Chairman.

Mr. LaMoure 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. President:

Your committee on appropriations 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 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 the title be amended by adding after the word "Missouri," the words, " and at the Lewis and Clark Centennial and Pacific Exposition and Oriental Fair to be held in 1905 at the city of Portland, Oregon."

That section 1, of the printed bill, be amended by adding after the figures "1904," the words "and at the Lewis and Clark Centennial and Pacific Exposition and Oriental Fair to be held at Portland, Oregon, in 1905."

That the words "state auditor," be inserted after the word "governor," in line 4, of section 1, of the printed bill.

That the words "and Warren N. Steele, of Rolette county," be inserted after the word "agriculture," in line 5, of said section.

That after the word "act," in line 3, of section 5, of the bill, be inserted the following: "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 in St. Louis, which such exhibit shall be carefully preserved and removed at the close of the St. Louis fair to the Portland fair named herein."

That following section 5, of said bill, shall be inserted the following:

"Section 6. The commission named in section 1, or their successors in office, shall hold their office as such commission for and during the term ending with the close of the Lewis and Clark exposition named herein."

That sections 6 and 7, of the bill, be re-numbered as sections 7 and 8, respectively.

And when so amended recommended that the same do pass.

JUDSON LaMOURE,
Chairman.

Mr. LaMoure 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. President:

Your committee on appropriations to whom was referred:

Senate Bill No. 65,

A bill for an act to establish a state fair board, prescribe its duties and making an appropriation for state fairs.

Also,

Senate Bill No. 142,

A bill for an act to establish a state fair board, prescribe its duties and make an appropriation for state fairs.

Have had the same under consideration and report that no definite conclusion was reached thereon.

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.

Have had the same under consideration and recommend that the same be amended as follows:

By striking out the words "three thousand dollars biannually," in line 5, of the printed bill, and inserting the words "one thousand five hundred dollars annually."

And when so amended recommended that the same do pass.

JUDSON LaMOURE,
Chairman.

Mr. LaMoure 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. President:

Your committee on appropriations 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 do pass.

JUDSON LaMOURE,
Chairman.

The committee on appropriations made the following report:
Mr. President:

Your committee on appropriations 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 sub-station at or near Dickinson in Stark county.

Have had the same under consideration and recommend that the same be amended as follows:

That the title of said bill be amended and made to read as follows: "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 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."

That all of said bill after the enacting clause be stricken out and the following inserted in lieu thereof:

Section 1. There is hereby appropriated annually out of any money in the state treasury, not otherwise appropriated, the sum of twenty thousand (\$20,000) dollars for state support and maintenance of the agricultural experiment station at Fargo, for the purchase of pure-bred live stock for breeding purposes, for salary of state veterinarian, for publishing additional bulletins and other needed agricultural literature, for maintaining and operating the sub-experiment station at Edgeley 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, for locating and operating a grass trial station and for other purposes as hereinafter provided, for extending the capacity of the agricultural station, for making investigations in grain and plant breeding, seed testing, diseases of cereals and vegetables, improvement and dissemination of

native and cultivated grasses, tree culture and fruit improvement, crop rotation and methods of cultivation, dairy husbandry, diseases of domestic animals and animal husbandry, retention of moisture and maintenance of soil fertility and for such other objects as may be of economic benefit to farmers and ranchmen.

Sec. 2. It shall be the duty of the board of trustees of the North Dakota Agricultural College to set apart annually the sum of five thousand dollars of the amount appropriated in section 1 of this act for the expenses of maintaining the sub-experiment station at Edgeley, for erecting suitable buildings thereon and for making such investigations and experiments as may be deemed necessary for the solution of agricultural, horticultural and other problems peculiar to districts of the state where the soil and climatic conditions differ from those of that portion of the state known as the Red river valley.

Sec. 3. It shall be the duty of the board of trustees of the North Dakota Agricultural College to set apart annually the sum of five thousand dollars of the amount appropriated in section 1 of this act for the expenses of locating a sub-experiment station at or near Minot, Ward county, for erecting suitable buildings thereon and maintaining said station and for making such investigations and experiments as may be deemed necessary for the solution of agricultural, horticultural and other problems, including experiments in grasses, and other problems peculiar to that portion of the state where the same differ, owing to soil and climatic conditions, from those of the eastern portion of the state. Provided, that before the provisions of this section shall become operative not less than one hundred sixty acres of land, of a kind and character to be approved by the board of trustees of the North Dakota Agricultural college, shall be donated to the state of North Dakota and transferred to said state by a good and sufficient deed of warranty, without expense to said state.

Sec. 4. It shall be the further duty of the said board of trustees to establish a grass trial station at or near Dickinson, Stark county, for the purpose of making experiments with native and other grasses with the view of improving the supply of forage and pasture of the grazing districts, and other products of the soil as the said board may authorize; and said board is hereby authorized to appropriate a sufficient sum of money as provided for in section 1 of this act to make such experiments; provided, however, that no such experiments as in this section provided shall be undertaken or authorized unless a suitable area of land shall be donated, free of charge, and placed at the disposal of the board of trustees during the period for which said experiments are authorized and conducted.

Sec. 5. There being no available funds for the support and maintenance of the sub-experiment station at Edgeley or for locating and establishing and maintaining a sub-experiment station at or near Minot or for establishing a grass experiment station at or near Dickinson and for other needed improvements and investigations and such funds being required before July 1st, 1903, an emergency exists and this act shall take effect and be in force and effect from and after its passage and approval.

And when so amended recommend that the same do pass.

JUDSON LaMOURE,

Chairman.

Mr. LaMoure 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. President:

Your committee on appropriations to whom was referred:

Senate Bill No. 118,

A bill for an act establishing the state fair, locating it at Fargo, and making appropriations therefor.

Have had the same under consideration and recommend that the same be amended as follows:

By striking out the figures "10,000," in lines 4 and 18, of section 2, of the printed bill, and inserting the figures "15,000."

By inserting, after the word "thereon," in line 21, of section 2, the following: "Provided, however, that such treasurer, president and secretary of such association shall certify by affidavit to the governor that the said capital stock of \$15,000 has been fully paid up in cash, before any of the provisions of this act shall become binding on the state."

That the figures "10,000," in line 2, of section 7, of the printed bill, be stricken out and the figures "5,000" inserted in lieu thereof.

That the figures "5,000," in lines 4 and 5, of said section, be stricken out and the figures "2,500" inserted in lieu thereof.

That after the word "repealed," in line 2, of section 9, of the printed bill, be inserted the following: "Provided, that the provisions of sections 156, 157, 158, 159, 160, 161 and 162, of the political code of 1899, shall be in force and effect until January 1, 1904."

And when so amended recommended that the same do pass.

JUDSON LaMOURE,

Chairman.

A minority of the committee on appropriations made the following report:

Mr. President:

A minority of your committee on appropriations to whom was referred

Senate Bill No. 118,

A bill for an act establishing the state fair, locating it at Fargo, and making appropriations therefor.

Have had the same under consideration and recommend that the same be amended as follows:

Amend the title of said bill so as to read as follows:

"An act to promote agriculture, horticulture, stock breeding, manufacturing, mining and the domestic arts, and to encourage the organization of county agricultural fair associations and the holding of county fairs, and making an appropriation therefor."

Section 1. Any county, agricultural or fair association, regularly incorporated under the laws of this state for the purpose of holding fairs and promoting the varied branches of agriculture and stock raising, may, on or before the first day of December in each year, file with the state auditor a sworn statement by the secretary of such county association, showing the name of the association, date of its incorporation, amount of paid in capital stock, value of its real estate aside from improvements, value of improvements, how many fairs it has held and when, the amount of cash

premiums paid at its last annual fair for stock and agricultural exhibits, and the total amount of cash paid out at its last annual fair for all premiums, wards and purses, also the name and postoffice address of the president, secretary and treasurer of such county association.

Sec. 2. The state auditor shall present such statement to the first meeting of the state auditing board held after the receipt of such statement by the auditor. If the board are satisfied that such county association is regularly incorporated, for the purposes mentioned in section 1, and is in good faith carrying out the object of its incorporation, that it owns at least \$2,000 of real estate free of encumbrance and sufficient in area for the purpose of its organization, or holds a ten years paid up lease of at least forty acres of land to be used for such fair purposes, and that it has at its last annual fair paid out in cash for premiums and purses for stock and agricultural exhibits the sum of at least \$500, the said board shall instruct the auditor to issue his warrant for the sum of \$500, payable to the order of the treasurer of such county association and forward the same to his address.

Sec. 3. In case more than one fair association in any county qualify under this act as entitled to receive the benefits hereof after the year 1903, the sum of \$500 shall be divided equally among such associations. It being the purpose of this act to encourage agricultural fairs and stock exhibits to the extent of \$500 only to any one county after 1903.

Sec. 4. For the purpose of carrying out the provisions of this act, there is hereby appropriated out of any funds in the state treasury not otherwise appropriated, the sum of \$10,000 annually, or so much thereof as may be necessary to comply herewith.

Sec. 5. In case more than twenty associations qualify as beneficiaries in any one year under this act, the annual sum hereby appropriated shall be equally divided among all qualified applicants.

And when so amended recommend that the same do pass.

MAYNARD CRANE,
M. D. WILLIAMS,
J. D. TAYLOR,
H. HALE.

Mr. Crane moved

That minority report on S. B. 118 be substituted for the majority report.

Which motion prevailed.

The committee on elections made the following report:

Mr. President:

Your committee on 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 be amended as follows:

Strike out the words in section 39, lines 6 and 7, "not less than three nor more than eleven," and insert the words "as many" in lieu thereof.

And when so amended recommend the same do pass.

HENRY HALE,
Chairman.

The committee on public health made the following report.

Mr. President:

Your committee on public health 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 do pass.

J. D. TAYLOR,
Chairman.

The committee on education made the following report:

Mr. President:

Your committee on education 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.

Have had the same under consideration and recommend that the same be amended as follows:

Amend the title by adding thereto the words "relating to the qualifications of teachers."

Also in line 16, of the printed bill, strike out all after the word "teach."
Strike out all of lines 17, 18, 19 and 20.

And when so amended recommend the same do pass.

H. E. LAVAYEA,
Chairman.

Mr. Lavayea 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. President:

Your committee on education to whom was referred
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.

H. E. LAVAYEA,
Chairman.

The committee on public lands made the following report:

Mr. President:

Your committee on public lands to whom was referred
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.

L. A. SIMPSON,
Chairman.

The committee on railroads made the following report:

Mr. President:

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.

R. S. LEWIS,
Chairman.

The minority of the committee on railroads made the following report:

Mr. President:

A minority of 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 be amended as follows:

Amend by adding the following between the word "damage" and the word "and," in line 4, of the printed bill, "provided, however, that said employe or employes did not contribute to the act that caused said damage by reason of his or their negligence or want of skill."

And when so amended recommend the same do pass.

G. O. GULACK,
J. F. DEVLIN,
WM. CLARKE.

Mr. Lewis moved

The adoption of the majority report on House Bill No. 17.
Which motion prevailed.

The committee on railroads made the following report:

Mr. President:

Your committee on railroads to whom was referred

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 penalty for violations of the provisions

Have had the same under consideration and recommend that that the same be indefinitely postponed.

R. S. LEWIS,
Chairman.

Mr. Lewis moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on railroads made the following report:

Mr. President:

Your committee on railroads to whom was referred

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.

R. S. LEWIS,
Chairman.

The committee on temperance made the following report:

Mr. President:

Your committee on temperance to whom was referred

Senate Bill No. 99,

A concurrent resolution proposing an amendment to section 217 of the constitution of the state of North Dakota.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JUDSON LaMOURE,
Chairman.

Mr. LaMoure moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on temperance made the following report:

Mr. President:

Your committee on temperance 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 same be indefinitely postponed.

JUDSON LaMOURE,
Chairman.

Mr. LaMoure moved

That the report be adopted.

Which motion was lost.

The committee on temperance made the following report:

Mr. President:

Your committee on temperance to whom was referred

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 be indefinitely postponed.

JUDSON LaMOURE,
Chairman.

Mr. LaMoure moved

That the report be adopted.

Roll call demanded.

The roll was called and there were ayes 10, nays 26, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Garnett	LaMoure
Brown	Hale	McLean
Carroll	Herbrandson	Sharpe
Clarke		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Cashel	Kirkeide	Regan
Crane	Lavayea	Robinson
Devlin	Lewis	Simpson
Fox	Little	Swenson
Geer	Lofthus	Taylor
Gulack	Macdonald	Voss
Hagen	Main	Williams
Jacobson	McArthur	Wipperman
Johnson	Plain	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Pierce	Talcott
Cox		

Messrs. Benson, Cox and Pierce being excused.
So the motion was lost.

The committee on temperance made the following report:

Mr. President:

Your committee on temperance to whom was referred
Senate Bill No. 42,

A bill for an act to repeal section 7594 of the Revised Codes of
North Dakota, relating to druggists' permits.

Have had the same under consideration and recommend that
the same be indefinitely postponed.

JUDSON LAMOURE,
Chairman.

Mr. LaMoure moved
The adoption of the report.

Roll call demanded.

The roll was called and there were ayes 17, nays 18, absent
and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Geer	Regan
Carroll	Hale	Sharpe
Cashel	Herbrandson	Swenson
Clarke	Jacobson	Talcott
Devlin	LaMoure	Taylor
Garnett	McLean	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Kirkeide	McArthur
Crane	Lavayea	Robinson
Fox	Little	Simpson
Gulack	Lofthus	Voss
Hagen	Macdonald	Williams
Johnson	Main	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Lewis	Plain
Cox	Pierce	

Messrs. Benson, Cox and Pierce being excused.

So the motion was lost.

The committee on state affairs made the following report:

Mr. President:

Your committee on state affairs to whom was referred
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.

Have had the same under consideration and recommend that the same be amended as follows:

Amend title to read as follows:

"For an act to regulate the prices charged by retailers of the product of the twine and cordage plant of the State penitentiary.

And when so amended recommend the same do pass.

O. A. LOFTHUS,
Acting Chairman.

Mr. Lofthus 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. President:

Your committee on judiciary to whom was referred
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.

Have had the same under consideration and recommend that the same be amended as follows:

In section 1, line 6, of printed bill, strike out the words "or unpaid."

In section 1, line 8, of printed bill, strike out the words "or unpaid."

In section 1, line 12, of the printed bill, strike out the words "or unpaid."

In section 1, line 15, of the printed bill, strike out the words "or unpaid."

In section 1, line 11, of the printed bill, strike out the words "or unpaid."

And when so amended recommend the same do pass.

C. B. LITTLE,
Chairman.

Mr. Little 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 President:

Your committee on judiciary to whom was referred
Senate Bill No. 125,

A bill for an act prohibiting the practice of Christian Science, Faith Cure, Mind Healing and other like agencies in the curing of diseases, and providing punishment therefor.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. B. LITTLE,
Chairman.

Mr. Little 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. President:

Your committee on judiciary 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 be amended as follows:

That after the word "representation," in line 30, of section 1, of the printed bill, the following words be inserted:

"If the decedent leaves no issue, nor husband, nor wife, the estate must go to the father, and if he is dead, to the mother."

And when so amended recommend the same do pass.

C. B. LITTLE,
Chairman.

Mr. Little 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. President:

Your committee on state affairs to whom was referred
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.

Have had the same under consideration and recommend that the same be amended as follows:

In section 2, line 3, of the printed bill, after the word "shall," strike out the words "whenever they deem it advisable," and insert in lieu thereof the words "when petitioned by one hundred freeholders of the county."

Also strike out all of line 6, of same section of printed bill and place in lieu thereof the words "upon a majority vote of said board the provisions of this law shall be abolished in such county."

Also in line 8, of section 1, of printed bill, change the word "15th" to "1st."

And when so amended recommend the same do pass.

O. E. LOFTHUS,
Acting Chairman.

Mr. Lofthus 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. President:

Your committee on state affairs 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.

O. E. LOFTHUS,
Acting Chairman,

The committee on state affairs made the following report.

Mr. President:

Your committee on state affairs to whom was referred
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:

To the schedule of articles and weights enumerated in section 1, of the bill, add the words "Bromus Inermus, fourteen pounds."

And when so amended recommended that the same do pass.

O. E. LOFTHUS,
Acting Chairman.

Mr. Lofthus 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. President:

Your committee on state affairs to whom was referred
Senate Bill No. 150,

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 do pass.

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.

Also,

Senate Bill No. 180,

A bill for an act relating to the death penalty, Warden of the North Dakota penitentiary to procure the proper electrical apparatus, machinery and appliances for the execution of convicted criminals, and for an appropriation providing means for the inflicting of such penalty. Time when law to apply.

Have had the same under consideration and recommend that the same be re-referred to the committee on appropriations.

O. E. LOFTHUS,

Acting Chairman.

Mr. Lofthus 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. President:

Your committee on state affairs to whom was referred

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.

Have had the same under consideration, and recommend that the same do pass.

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.

Have had the same under consideration and recommend that the same do pass.

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.

Have had the same under consideration and recommend that the same do pass.

O. E. LOFTHUS,

Acting Chairman.

The committee on state affairs made the following report:

Mr President:

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 recommend that
the same be indefinitely postponed.

Also,

Senate Bill No. 187,

Concurrent resolution fixing time of payments of school and
institution lands.

Have had the same under consideration and recommend that
the same be indefinitely postponed.

O. E. LOFTHUS,
Acting Chairman.

Mr. Lofthus 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. President:

Your committee on state affairs 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 do pass.

O. E. LOFTHUS,
Acting Chairman.

The committee on highways and bridges made the following
report:

Mr. President:

Your committee on highways and bridges to whom was referred
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 be amended as follows:

Section No. 1, line No. 4, of printed bill, after word "of," strike out the word "five," and insert in lieu thereof the the word "two."

And when so amended recommend that the same do pass.

A. MACDONALD,
Chairman.

Mr. Macdonald moved
That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on enrolled and engrossed bills made the following report:

Mr. President:

Your committee on enrolled and engrossed bills have examined 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. 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. 147,

A bill for an act relating to agricultural fair corporations.

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 of North Dakota.

Also,

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. 206,

A bill for an act providing for future valid assessments and levies of taxes and delinquencies and penalties thereon.

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. 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.

And find the same correctly engrossed.

H. E. LAVAYEA,
Chairman.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 26, 1903.

Mr. President:

I have the honor to transmit herewith

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. 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. 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. 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.

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. 167,

A bill for an act defining express companies, freight line companies and equipment companies, telegraph and telephone com-

panies 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. 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. 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 Bismarek, 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,

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,

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.

Which the house has passed and your favorable consideration thereof is respectfully requested.

A. O. ANDERSON,

Chief Clerk.

Mr. President:

I have the honor to return 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.

Which the house has passed with following amendment:

At the end of line 4 of the last page of engrossed add the word "detailed."

Also,

Senate 25

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. 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. 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 house has passed unchanged.

Also,

I have the honor to transmit herewith

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 the house has passed and your favorable consideration is respectfully requested.

Also,

Mr. President:

I have the honor to inform you the house has adopted a 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, of which an engrossed copy is herewith transmitted, and concurrence therein is requested.

Respectfully

A. O. ANDERSON,

Chief Clerk.

CONCURRENT RESOLUTION AND MEMORIAL.

Whereas, under the present method of election of United States senators by the legislatures of the several states protracted contests 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 the 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 the 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.

MOTIONS AND RESOLUTIONS.

Mr. Hale moved

That all appropriation bills be placed on their third reading and final passage.

Which motion prevailed.

THIRD 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 third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 34, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	McArthur
Brown	Herbrandson	McLean
Carroll	Jacobson	Plain
Cashel	Johnson	Robinson
Clarke	LaMoure	Sharpe
Crane	Lavayea	Simpson
Devlin	Lewis	Talcott
Fox	Little	Taylor
Garnett	Lofthus	Voss
Geer	Macdonald	Williams
Gulack	Main	Wipperman
Hagen		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Kirkeide	Regan
Cox	Pierce	Swenson

Messrs. Benson, Cox and Pierce being excused.

So the bill passed and the title was agreed to.

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 34, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	Main
Brown	Herbrandson	McLean
Carroll	Jacobson	Plain
Cashel	Johnson	Regan
Clarke	Kirkeide	Robinson
Crane	LaMoure	Simpson
Devlin	Lavayea	Talcott
Fox	Lewis	Taylor
Garnett	Little	Voss
Geer	Lofthus	Williams
Gulack	Macdonald	Wipperman
Hagen		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	McArthur	Sharpe
Cox	Pierce	Swenson

Messrs. Benson, Cox and Pierce being excused.

So the bill passed and the title was agreed to.

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 37, nays none, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	Plain
Brown	Jacobson	Regan
Carroll	Johnson	Robinson
Cashel	Kirkeide	Sharpe
Clarke	LaMoure	Simpson
Crane	Lavayea	Swenson
Devlin	Lewis	Talcott
Fox	Little	Taylor
Garnett	Lofthus	Voss
Geer	Macdonald	Williams
Gulack	Main	Wipperman
Hagen	McArthur	
Hale	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Cox	Pierce

Messrs. Benson, Cox and Pierce being excused.

So the bill passed and the title was agreed to.

Mr. Simpson moved that the vote by which the bill passed be reconsidered and the motion to reconsider be laid on the table.

Mr. Little moved That all appropriation bills passed today be transmitted to the house.

Which motion prevailed.

Senate Bill No. 78,

A bill for an act to amend section 273 of the 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 37, nays none, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	McLean
Brown	Jacobson	Plain
Carroll	Johnson	Regan
Cashel	Kirkeide	Robinson
Clarke	LaMoure	Sharpe
Crane	Lavayea	Simpson
Devlin	Lewis	Swenson
Fox	Little	Talcott
Garnett	Lofthus	Taylor
Geer	Macdonald	Voss
Gulack	Main	Williams
Hagen	McArthur	Wipperman
Hale		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Cox	Pierce

Messrs. Benson, Cox and Pierce being excused.

So the bill passed and the title was agreed to.

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 36, nays none absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	McLean
Brown	Jacobson	Plain
Carroll	Johnson	Regan
Cashel	Kirkeide	Robinson
Clarke	LaMoure	Sharpe
Crane	Lavayea	Simpson
Devlin	Lewis	Swenson
Garnett	Little	Talcott
Geer	Lofthus	Taylor
Gulack	Macdonald	Voss
Hagen	Main	Williams
Hale	McArthur	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Fox	Pierce
Cox		

Messrs. Benson, Cox and Pierce 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 35, nays none, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	McLean
Brown	Jacobson	Plain
Cashel	Johnson	Regan
Clarke	Kirkeide	Robinson
Crane	LaMoure	Sharpe
Devlin	Lavayea	Simpson
Fox	Lewis	Swenson
Garnett	Little	Talcott
Geer	Lofthus	Taylor
Gulack	Macdonald	Voss
Hagen	Main	Williams
Hale	McArthur	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Cox	Wipperman
Carroll	Pierce	

Messrs. Benson, Cox and Pierce being excused.

So the bill passed and the title was agreed to.

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 34, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	McLean
Brown	Jacobson	Plain
Cashel	Johnson	Regan
Clarke	Kirkeide	Robinson
Crane	Lavayea	Sharpe
Devlin	Lewis	Simpson
Fox	Little	Swenson
Garnett	Lofthus	Taylor

Messrs.—	Messrs.—	Messrs.—
Geer	Macdonald	Voss
Gulack	Main	Williams
Hagen	McArthur	Wipperman
Hale		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Cox	Pierce
Carroll	LaMoure	Talcott

Messrs. Benson, Cox and Pierce 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, Allred and Wallace.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 33, nays 1, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	McLean
Carroll	Jacobson	Plain
Cashel	Johnson	Robinson
Clarke	Kirkeide	Sharp
Crane	Lavaya	Simpson
Devlin	Lewis	Swenson
Fox	Little	Talcott
Geer	Lofthus	Taylor
Gulack	Macdonald	Voss
Hagen	Main	Williams
Hale	McArthur	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Garnett	Pierce
Cox	LaMoure	Regan

Mr. Brown voted in the negative.

Messrs. Benson, Cox and Pierce 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 36, nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	McLean
Brown	Herbrandson	Plain
Carroll	Jacobson	Regan
Cashel	Johnson	Robinson
Clarke	Kirkeide	Sharpe
Crane	Lavaya	Swenson
Devlin	Lewis	Simpson
Fox	Little	Talcott
Garnett	Lofthus	Taylor
Geer	Macdonald	Voss
Gulack	Main	Williams
Hagen	McArthur	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	LaMoure	Pierce
Cox		

Messrs. Benson, Cox and Pierce 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 37, nays none, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	McLean
Brown	Jacobson	Plain
Carroll	Johnson	Regan
Cashel	Kirkeide	Robinson
Clarke	LaMoure	Sharpe
Crane	Lavaya	Simpson
Devlin	Lewis	Swenson
Fox	Little	Talcott
Garnett	Lofthus	Taylor
Geer	Macdonald	Voss
Gulack	Main	Williams
Hagen	McArthur	Wipperman
Hale		

Absent and not voting:

Messrs.—
Benson

Messrs.—
Cox

Messrs.—
Pierce

Messrs. Benson, Cox and Pierce being excused.

So the bill passed and the title was agreed to.

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 37, nays none, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—

Bacon
Brown
Carroll
Cashel
Clarke
Crane
Devlin
Fox
Garnett
Geer
Gulack
Hagen
Hale

Messrs.—

Herbrandson
Jacobson
Johnson
Kirkeide
LaMoure
Lavayea
Lewis
Little
Lofthus
Macdonald
Main
McArthur

Messrs.—

McLean
Plain
Regan
Robinson
Sharpe
Simpson
Swenson
Talcott
Taylor
Voss
Williams
Wipperman

Absent and not voting:

Messrs.—
Benson

Messrs.—
Cox

Messrs.—
Pierce

Messrs. Benson, Cox and Pierce being excused.

So the bill passed and the title was agreed to.

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 none, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	McLean
Brown	Jacobson	Plain
Carroll	Johnson	Regan
Cashel	Kirkeide	Robinson
Clarke	LaMoure	Sharpe
Crane	Lavayea	Simpson
Devlin	Lewis	Swenson
Fox	Little	Talcott
Garnett	Lofthus	Taylor
Geer	Macdonald	Voss
Gulack	Main	Williams
Hagen	McArthur	Wipperman
Hale		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Cox	Pierce

Messrs. Benson, Cox and Pierce being excused.

So the bill passed and the title was agreed to.

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 36, nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	McLean
Brown	Jacobson	Plain
Carroll	Johnson	Regan
Cashel	Kirkeide	Robinson
Clarke	LaMoure	Sharpe
Crane	Lavayea	Simpson
Devlin	Lewis	Swenson
Garnett	Little	Talcott
Geer	Lofthus	Taylor
Gulack	Macdonald	Voss
Hagen	Main	Williams
Hale	McArthur	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Fox	Pierce
Cox		

Messrs. Benson, Cox and Pierce being excused.

So the house amendment were concurred in.

Mr. Cashel moved

That the senate do now concur in the house amendments to

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.

The question being on the concurrence in said amendments.

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 37, nays none, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	McLean
Brown	Jacobson	Plain
Carroll	Johnson	Regan
Cashel	Kirkeide	Robinson
Clarke	LaMoure	Sharpe
Crane	Lavayea	Simpson
Devlin	Lewis	Swenson
Fox	Little	Talcott
Garnett	Lofthus	Taylor
Geer	Macdonald	Voss
Gulack	Main	Williams
Hagen	McArthur	Wipperman
Hale		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Cox	Pierce

Messrs. Benson, Cox and Pierce 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 contingent 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 37, nays none, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	Plain
Brown	Jacobson	Regan
Carroll	Johnson	Robinson
Cashel	Kirkeide	Sharpe
Clarke	LaMoure	Simpson
Crane	Lavayea	Swenson
Devlin	Lewis	Talcott
Fox	Little	Taylor
Garnett	Lofthus	Voss
Geer	Macdonald	Williams
Gulack	Main	Wipperman
Hagen	McArthur	
Hale	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Cox	Pierce

Messrs. Benson, Cox and Pierce being excused.

So the bill passed and the title was agreed to.

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 third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 35, nays none, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Herbrandson .	McLean
Carroll	Jacobson	Plain
Cashel	Johnson	Regan
Clarke	Kirkeide	Sharpe
Crane	LaMoure	Simpson
Devlin	Lavayea	Swenson
Fox	Lewis	Talcott
Garnett	Little	Taylor
Geer	Lofthus	Voss
Gulack	Macdonald	Williams
Hagen	Main	Wipperman
Hale	McArthur	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Cox	Robinson
Benson	Pierce	

Messrs. Benson, Cox and Pierce being excused.

So the bill passed and the title was agreed to.

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.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 32, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Herbrandson	Plain
Cashel	Jacobson	Regan
Clarke	Johnson	Sharpe
Crane	Kirkeide	Simpson
Devlin	LaMoure	Swenson
Fox	Lavayea	Talcott
Garnett	Little	Taylor
Geer	Lofthus	Voss
Gulack	Main	Williams
Hagen	McArthur	Wipperman
Hale	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Cox	Pierce
Benson	Lewis	Robinson
Carroll	Macdonald	

Messrs. Benson, Cox and Pierce being excused.

So the bill passed and the title was agreed to.

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 34, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Jacobson	Plain
Carroll	Johnson	Regan
Cashel	Kirkeide	Robinson
Clarke	LaMoure	Sharpe
Crane	Lavayea	Simpson
Devlin	Lewis	Swenson
Fox	Little	Talcott
Garnett	Lofthus	Taylor
Gulack	Main	Voss
Hagen	McArthur	Williams
Hale	McLean	Wipperman
Herbrandson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Cox	Macdonald
Benson	Geer	Pierce

Messrs. Benson, Cox and Pierce being excused.

So the bill passed and the title was agreed to.

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 37, nays none, absent not voting 3.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	McLean
Brown	Jacobson	Plain
Carroll	Johnson	Regan
Cashel	Kirkeide	Robinson
Clarke	LaMoure	Sharpe
Crane	Lavayea	Simpson
Devlin	Lewis	Swenson
Fox	Little	Talcott
Garnett	Lofthus	Taylor
Geer	Macdonald	Voss
Gulack	Main	Williams
Hagen	McArthur	Wipperman
Hale		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Cox	Pierce

Messrs. Benson, Cox and Pierce being excused.

So the bill passed and the title was agreed to.

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 36, nays none, absen and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	McLean
Brown	Jacobson	Plain
Carroll	Johnson	Regan
Cashel	Kirkeide	Robinson
Clarke	LaMoure	Sharpe
Crane	Lavayea	Simpson
Devlin	Lewis	Swenson
Garnett	Little	Talcott
Geer	Lofthus	Taylor
Gulack	Macdonald	Voss
Hagen	Main	Williams
Hale	McArthur	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Fox	Pierce
Cox		

Messrs. Benson, Cox and Pierce being excused.

So the bill passed and the title was agreed to.

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 36, nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	McLean
Brown	Jacobson	Plain
Carroll	Johnson	Regan
Cashel	Kirkeide	Robinson
Crane	LaMoure	Sharpe
Devlin	Lavayea	Simpson
Fox	Lewis	Swenson
Garnett	Little	Talcott
Geer	Lofthus	Taylor
Gulack	Macdonald	Voss
Hagen	Main	Williams
Hale	McArthur	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Cox	Pierce
Clarke		

Messrs. Benson, Cox and Pierce being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 184.

A bill for an act authorizing the purchase of vehicles, horses,

etc. and the employment of a coachman for the use of the governor's office and the 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 36, nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	McLean
Brown	Jacobson	Plain
Cashel	Johnson	Regan
Carroll	Kirkeide	Robinson
Crane	LaMoure	Sharpe
Devlin	Lavayea	Simpson
Fox	Little	Swenson
Garnett	Lewis	Talcott
Geer	Lofthus	Taylor
Gulack	Macdonald	Voss
Hagen	Main	Williams
Hale	McArthur	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Cox	Pierce
Clarke		

Messrs. Benson, Cox and Pierce being excused.

So the bill passed and the title was agreed to.

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 third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 33 nays none, absent and not voting, 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Carroll	Herbrandson	Plain
Cashel	Jacobson	Regan
Clarke	Johnson	Robinson
Crane	Kirkeide	Sharpe
Devlin	Lavayea	Simpson
Fox	Lewis	Swenson
Garnett	Little	Talcott
Geer	Lofthus	Taylor
Gulack	Macdonald	Voss
Hagen	Main	Williams
Hale	McLean	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Cox	Pierce
Bacon	LaMoure	McArthur
Brown		

Messrs. Benson, Cox and Pierce being excused.

So the bill passed and the title was agreed to.

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 36, nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	McLear
Brown	Jacobson	Plain
Carroll	Johnson	Regan
Cashel	Kirkeide	Robinson
Clarke	LaMoure	Sharpe
Crane	Lavayea	Simpson
Devlin	Lewis	Swenson
Fox	Little	Talcott
Garnett	Lofthus	Taylor
Geer	Macdonald	Voss
Hagen	Main	Williams
Hala	McArthur	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Gulack	Pierce
Cox		

Messrs. Benson, Cox and Pierce being excused.

So the bill passed and the title was agreed to.

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 upon the final passage of the bill.

The roll was called and there were ayes 32, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Kirkeide	Regan
Cashel	LaMoure	Robinson
Clarke	Lavayea	Sharpe
Crane	Lewis	Simpson
Devlin	Little	Swenson
Garnett	Lofthus	Talcott
Geer	Macdonald	Taylor
Hagen	Main	Voss
Hale	McArthur	Williams
Herbrandson	McLean	Wipperman
Johnson	Plain	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Cox	Jacobson
Brown	Fox	Pierce
Carroll	Gulack	

Messrs. Benson, Cox and Pierce being excused.
So the bill passed and the title was agreed to.

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 sub-station at or near Dickinson 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 34, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Johnson	Plain
Cashel	Kirkeide	Regan
Clarke	LaMoure	Robinson
Crane	Lavayea	Sharpe
Devlin	Lewis	Simpson
Fox	Little	Swenson
Garnett	Lofthus	Talcott
Geer	Macdonald	Taylor
Gulack	Main	Voss
Hagen	McArthur	Williams
Hale	McLean	Wipperman
Herbrandson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Carroll	Jacobson
Benson	Cox	Pierce

Messrs. Benson, Cox and Pierce being excused.
So the bill passed and the title was agreed to.

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 37, nays none, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	Plain
Brown	Jacobson	Regan
Carroll	Johnson	Robinson
Cashel	Kirkeide	Sharpe
Clarke	LaMoure	Simpson
Crane	Lavayea	Swenson
Devlin	Lewis	Talcott
Fox	Little	Taylor
Garnett	Lofthus	Voss
Geer	Macdonald	Williams
Gulack	Main	Wipperman
Hagen	McArthur	
Hale	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Cox	Pierce

Messrs. Benson, Cox and Pierce being excused.

So the bill passed and the title was agreed to.

Mr. Lewis moved that

Senate Bill No. 142,

A bill for an act to establish a state fair board, prescribe its duties and make an appropriation for state fairs.

Senate Bill No. 142,

Also,

Senate Bill No. 65,

A bill for an act to establish a state fair board, prescribe its duties and making an appropriation for state fairs.

Be referred to the judiciary committee.

Which motion prevailed.

The secretary announced that the president was about to sign House Bill 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 the said bills were signed in the presence of the senate.

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS.

Mr. Lewis introduced

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 committee on city and municipal corporations.

Mr. Carroll introduced

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 committee on state affairs.

FIRST AND SECOND READING OF HOUSE BILLS.

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 first and second times, and

Referred to the committee on judiciary.

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.

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

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.

Was read the first and second times, and
Referred to the committee on appropriations.

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 first and second times, and
Referred to the committee on ways and means.

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.

Was read the first and second times, and
Referred to the committee on education.

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.

Was read the first and second times, and
Referred to the committee on counties and county boundaries.

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 first and second times, and
Referred to the committee on state affairs.

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.

Was read the first and second times, and

Referred to the committee on judiciary.

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.

Was read the first and second times, and

Referred to the committee on judiciary.

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.

Was read the first and second times, and

Referred to the committee on judiciary.

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.

Was read the first and second times, and

Referred to the committee on judiciary.

REPORT OF SPECIAL COMMITTEE.

To the President of the Senate and Speaker of the House of Representatives of the Eighth Legislative Assembly:

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 hereof; 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 al-

most 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.

The President announced the steering committee as follows: Messrs. Little, LaMoire, Sharpe, Talcott, Taylor, Hale, Devlin, Geer and Crane.

The courtesies of the floor were extended to the following: A. H. Wahl, H. C. Nygaard, John Oligney, F. F. Root, O. B. Wing, C. W. Conway, W. R. Kellogg, P. W. Eddy, Marion Conklin, Ex-Senator O. F. Hegge.

Mr. Crane moved

That the senate do now adjourn,

Which motion prevailed, and

The senate adjourned.

R. M. TUTTLE,

Secretary.

FIFTY-THIRD DAY

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 27, 1903.

The senate met at 2 o'clock p. m. pursuant to adjournment.

The president presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Benson and Pierce.

Messrs. Benson and Pierce being excused.

PETITIONS AND COMMUNICATIONS.

Mr. Brown presented the following petition:

Davenport, N. D., Feb. 20, 1903.

To the Honorable Representatives and Senator of the Tenth 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 137, as we believe that the firemen are entitled to this recognition at the hands of the people.

J. L. SAVAGE, M. D.,
And Thirty-five Others.

Mr. Hale presented the following petition:

Devils Lake, N. D., Feb. 13, 1903.

To the Hon. H. Hale, 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.

FRED P. MANN,
And Forty Others.

Mr. Iverson presented the following petition:

To Senator Iver Swenson, Bismarck, N. D.:

We, the undersigned residents of Lakota and vicinity, believe that

House Bill No. 204, relating to druggists' permit law, should be passed by the senate, and we earnestly trust that you, as our representative in the senate, will give it your endorsement and support it, and if it comes to a vote that you will not fail to vote favorably for this measure.

MRS. F. W. PETTES,
And Eight Others.

Mr. LaMoure presented the following communication:

St. James, Minn., Feb. 17, 1903.

Hon. Jud LaMoure, Senate Chamber, North Dakota:

I desire to express to the members of the North Dakota legislature my warmest gratitude for their touching words of thanks for my volume on the early history of Dakota; and especially do I value their kindly expressions of personal friendship extended to me in my declining years. This tender tribute of remembrance brings a tear to my eye and carries my mind back through the long vista of years to the time when I first occupied a seat in the log house legislature of the infant territory of Dakota. It is nearly half a century ago since I came west of the Mississippi river at a time when there was hardly a house between Dakota and the Pacific ocean. I am now three score years and ten, and am fast approaching the autumn shades of life; and as I look backward over the past, and forward into the future, my mind tries to foretell what this great northern empire will be in another fifty years. The legislators of North Dakota today, like the founders of ancient Rome, are laying the cornerstones of what bids fair to become the richest agricultural empire in the western world. May the light in its temple continue to shine for future generations.

Your old time friend,

MOSES K. ARMSTRONG.

Mr. Lofthus introduced the following petitions:

Park River, N. D., Feb. 12, 1903.

To the Hon. O. E. Lofthus, J. J. Ferguson and Thomas Johnson, of the Third 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 entitled to this recognition at the hands of the people.

JOHN WYLLIE,
And Fifty Others.

Langdon, N. D., Feb. 20, 1903.

To the Honorable Members of the Legislature of the State of North Dakota:

We, the undersigned, residents of the state of North Dakota, do hereby petition you to support and vote for Senate Bill No. 162, introduced by Senator Plain, making it a misdemeanor to defraud liverymen.

KELLY & M'LOUCHLIN,
And Four Hundred Others.

 REPORTS OF STANDING COMMITTEES.

The committee on judiciary made the following report:

Mr. President:

Your committee on judiciary to whom was referred

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 be indefinitely postponed.

C. B. LITTLE,
Chairman.

Mr. Little moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on statistics made the following report:

Mr. President:

Your committee on statistics to whom was referred

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.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out the title and insert in lieu thereof the following:

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.

And also to amend section 1, by striking out the following: Sections 1038, 1039, 1040, 1041, 1042, 1043, 1044, of the Revised Codes of 1899, be, and the same are, hereby repealed, and in lieu thereof, insert the following:

Section 1. That section 1039 of the Revised Codes of the state of North Dakota of 1899, be, and the same is, hereby amended to read as follows:

Section 1039. (What Statistical Statement to Contain.) The statistical statement mentioned in the foregoing section shall contain, among other things, answers properly classified to the following questions: What is the number of farms; the number of mules, horses, milch cows and other cattle, sheep and hogs sub-divided into the breed of classes to which they belong. The number of pounds of wool clipped, and the dairy products for the past year. The number and kinds of trees grown in cultivated or planted forests; the number of nurseries and the acreage of each; the number and kind of fruit trees, berries and vines, and the orchard products for the preceding year. The male and female population of

each county, township, city and village, and the number of blind, deaf and dumb, insane and idiotic in each assessor's district.

Sec. 2. All acts or parts of acts in conflict with this act are hereby repealed.

Sec. 3. Whereas, the assessors' annual reports will be made before July 1, 1903, an emergency exists, and it is necessary that this act take effect before July 1, 1903; therefore, this act shall take effect and be in force from and after its passage and approval.

And when so amended recommend the same do pass.

WM. CLARKE,
Chairman.

Mr. Clarke moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on highways and bridges made the following re-report:

Mr. President:

Your committee on highways and bridges 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 amended as follows:

On line 4, of printed bill, before the word "resident," place the word "and."

And when so amended recommend the same do pass.

A. MACDONALD,
Chairman.

Mr. Macdonald moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on agriculture made the following report:

Mr. President:

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.

IVER SWENSON,
Chairman.

The committee on judiciary made the following report:

Mr. President:

Your committee on judiciary 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,

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 motions.

Have had the same under consideration and recommend that the same do pass.

Also.

Senate Bill No. 215,

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.

C. B. LITTLE,
Chairman.

The committee on education made the following report:

Mr. President:

Your committee on education to whom was referred
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.

Have had the same under consideration and recommend that the same do pass.

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.

Have had the same under consideration and recommend that the same do pass.

H. E. LAVAYEA,
Chairman.

The committee on enrolled and engrossed bills made the following report:

Mr. President:

Your committee on enrolled and engrossed bills have examined 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. 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. 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. 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. 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.

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. 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. 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.

Also,

Senate Bill No. 42,

A bill for an act to repeal section 7594 of the Revised Codes of North Dakota, relating to druggists' permits.

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.

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. 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. 184.

A bill for an act authorizing the purchase of vehicles, horses, etc., and the employment of a coachman for the use of the governor's office and the executive mansion and making appropriation therefor.

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. 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. 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. 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. 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. 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. 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.

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.

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.

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. 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. 118,

A bill for an act establishing the state fair, locating it at Fargo, and making appropriations therefor.

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. 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:

And find the same correctly engrossed.

H. E. LAVAYEA,
Chairman.

The committee on enrolled and engrossed bills made the following report:

Mr. President:

Your committee on enrolled and engrossed bills have examined 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. 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. 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.

And find the same correctly enrolled.

H. E. LAVAYEA,
Chairman.

MOTIONS AND RESOLUTIONS.

The courtesies of the floor were extended to the following: Jacob Fisher, W. A. Murphy, Col. A. P. Peake, H. H. Roberts, Hon. W. D. Sweet, Hon. G. S. Barnes, Mrs. W. E. Hunt, Mrs. Morton Page, Hon. J. S. Murphy, W. H. Denny, F. F. Chapman, M. L. Parker.

CONSIDERATION OF MESSAGE FROM THE HOUSE.

CONCURRENT RESOLUTION.

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

That the United States senators and members of congress from the state of North Dakota are earnestly requested and urged to use every effort 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.

We believe that such legislation is inimical to the interests of a great section of this state, and will result in great hardship to the poorer classes of settlers, and present insurmountable obstacles to their obtaining credit, necessary to help them in the improvement and perfection of their

homes, and will render it impossible for any except those who have abundant means to secure homes for themselves.

Whatever may be the exigencies, if any, that demand such legislation in other parts of the country, they have no application here.

That this resolution be communicated at once to said senators and representatives.

Mr. LaMoure moved

That the senate now concur in the resolution from the house.
Which motion prevailed.

INTRODUCTION AND FIRST READING OF HOUSE BILLS.

Mr. Kirkeide introduced

Senate Bill No. 229,

A bill for an act to amend section 4788 and to repeal section 4794 of the Revised Codes of North Dakota, 1899, relating to mechanic's liens.

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

Mr. Wipperman introduced

Senate Bill No. 230,

A bill for an act to amend section 2063, 2069, 2074, 2078 and 2081 of the political code of the state of North Dakota, relating to clerks and deputies in certain county offices and to salaries and the fixing the amount thereof.

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

THIRD READING OF SENATE BILLS.

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 34, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—

Bacon
Brown
Carroll

Messrs.—

Jacobson
Kirkeide
LaMoure

Messrs.—

Plain
Regan
Robinson

Messrs.—

Cashel
Cox
Crane
Devlin
Garnett
Geer
Hagen
Hale
Herbrandson

Messrs.—

Lavayea
Lewis
Little
Lofthus
Macdonald
Main
McArthur
McLean

Messrs.—

Sharpe
Simpson
Swenson
Talcott
Taylor
Voss
Williams
Wipperman

Absent and not voting:

Messrs.—

Benson
Clarke

Messrs.—

Fox
Gulack

Messrs.—

Johnson
Pierce

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

Mr. Little moved

That all reference to Senate Bill No. 187 be expunged from the record.

Which motion prevailed.

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 third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 35, nays none, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—

Bacon
Cashel
Clarke
Cox
Crane
Devlin
Fox
Garnett
Geer
Gulack
Hagen
Hale

Messrs.—

Herbrandson
Jacobson
Johnson
Kirkeide
LaMoure
Lavayea
Lewis
Lofthus
Macdonald
Main
McArthur
McLean

Messrs.—

Plain
Regan
Robinson
Sharpe
Simpson
Swenson
Talcott
Taylor
Voss
Williams
Wipperman

Absent and not voting:

Messrs.—

Benson
Brown

Messrs.—

Carroll
Little

Messrs.—

Pierce

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

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.

Mr. Robinson offered the following amendment:

Section 2. All acts or parts of acts in conflict with the provisions of this act are hereby repealed.

And before the word "whereas," in the emergency clause, insert section 3.

And said amendment was adopted.

The question being upon the final passage of the bill as amended.

The roll was called and there ayes 36, nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—

Bacon
Brown
Carroll
Cashel
Clarke
Cox
Crane
Devlin
Fox
Garnett
Geer
Gulack

Messrs.—

Hagen
Hale
Herbrandson
Jacobson
Johnson
Kirkeide
Lavayea
Lewis
Little
Lofthus
Macdonald
Main

Messrs.—

McArthur
McLean
Plain
Regan
Robinson
Sharpe
Simpson
Swenson
Taylor
Voss
Williams
Wipperman

Absent and not voting:

Messrs.—

Benson
LaMoure

Messrs.—

Pierce

Messrs.—

Talcott

Messrs. Benson and Pierce being excused.

So the bill as amended passed and the title was agreed 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.

Was read the third time.

Mr. Johnson moved

To amend Senate Bill No. 186, by striking out the word "Allred," in line 34, page 3, of printed bill.

Also, the bill be amended by striking out the word "Allred," in line 4, page 1, of printed bill.

Which amendment was adopted.

The question being upon the final passage of the bill as amended.

The roll was called and there were ayes 32, nays 1, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—

Brown
Carroll
Cashel
Clarke
Cox
Crane
Devlin
Fox
Garnett
Geer
Gulack

Messrs.—

Hagen
Hale
Herbrandson
Johnson
LaMoure
Lavayea
Little
Lofthus
Macdonald
Main
McArthur

Messrs.—

McLean
Plain
Regan
Robinson
Sharpe
Swenson
Talcott
Taylor
Williams
Wipperman

Absent and not voting:

Messrs.—

Bacon
Benson
Kirkeide

Messrs.—

Lewis
Pierce

Messrs.—

Simpson
Voss

Mr. Jacobson voted in the negative.

Messrs. Benson and Pierce 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 35, nays 1, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—

Bacon
Brown
Carroll
Cashel
Clarke
Cox
Crane
Devlin
Fox
Garnett
Geer
Gulack

Messrs.—

Hagen
Hale
Herbrandson
Johnson
Kirkeide
LaMoure
Lavayea
Lewis
Little
Lofthus
Macdonald
Main

Messrs.—

McArthur
McLean
Plain
Robinson
Sharpe
Simpson
Swenson
Talcott
Taylor
Williams
Wipperman

Absent and not voting:

Messrs.—

Benson
Jacobson

Messrs.—

Pierce

Messrs.—

Regan

Mr. Voss voted in the negative.

Messrs. Benson and Pierce 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 35, nays none, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	McLean
Brown	Herbrandson	Plain
Cashel	Johnson	Regan
Clarke	Kirkeide	Robinson
Cox	LaMoure	Sharpe
Crane	Lavayea	Simpson
Devlin	Lewis	Swenson
Fox	Little	Taylor
Garnett	Lofthus	Voss
Geer	Macdonald	Williams
Gulack	Main	Wipperman
Hagen	McArthur	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Jacobson	Talcott
Carroll	Pierce	

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

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 third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 23, nays 10, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	Plain
Cashel	Johnson	Robinson
Crane	Kirkeide	Simpson
Devlin	Lavayea	Swenson
Geer	Lofthus	Taylor
Gulack	Macdonald	Williams
Hagen	Main	Wipperman
Hale	McArthur	

Those who voted in the negative were:

Brown	Little	Sharpe
Clarke	McLean	Talcott
Cox	Regan	Voss
LaMoure		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Garnett	Lewis
Carroll	Jacobson	Pierce
Fox		

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

Mr. Cashel moved

That the vote by which Senate Bill No. 70 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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 third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 26, nays none, absent and not voting 14.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Herbrandson	Plain
Cashel	Kirkelde	Regan
Clarke	Lewis	Robinson
Cox	Little	Sharpe
Crane	Lofthus	Talcott
Garnett	Macdonald	Taylor
Gulack	Main	Voss
Hagen	McArthur	Wiperman
Hale	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Geer	Pierce
Benson	Jacobson	Simpson
Carroll	Johnson	Swenson
Devlin	LaMoure	Williams
Fox	Lavaya	

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

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 34, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Carrall	Johnson	Plain
Cashel	Kirkeide	Regan
Clarke	LaMoure	Robinson
Cox	Lavayea	Sharpe
Crane	Lewis	Simpson
Devlin	Little	Swenson
Garnett	Lofthus	Talcott
Geer	Macdonald	Taylor
Gulack	Main	Voss
Hagen	McArthur	Williams
Hale	McLean	Wipperman
Herbrandson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Brown	Jacobson
Benson	Fox	Pierce

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed 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.

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 none, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	McArthur
Brown	Herbrandson	Plain
Carrall	Jacobson	Regan
Cashel	Johnson	Robinson
Clarke	Kirkeide	Sharpe
Cox	LaMoure	Simpson
Crane	Lavayea	Swenson
Devlin	Lewis	Talcott
Fox	Little	Taylor
Garnett	Lofthus	Voss
Geer	Macdonald	Williams
Gulack	Main	Wipperman
Hagen		

Absent and not voting:Messrs.—
BensonMessrs.—
McLeanMessrs.—
Pierce

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

Mr. Little moved

That the rules be suspended and that all house bills be given their first and second reading and reference.

Which motion prevailed.

FIRST AND SECOND READING OF HOUSE BILLS.

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 first and second times, and

Referred to the committee on appropriations.

House Bill No. 225,

A bill for an act to amend section 703 of the Revised Codes of the state of North Dakota.

Was read the first and second times, and

Referred to the committee on education.

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 first and second times, and

Referred to the committee on apportionment.

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 first and second times, and

Referred to the committee on apportionment.

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 first and second times, and

Referred to the committee on appropriations.

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 first and second times, and

Referred to the committee on judiciary.

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 first and second times, and

Referred to the committee on ways and means.

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 first and second times, and

Referred to the committee on judiciary.

House Bill No. 238,

A bill for an act to license solicitors for benevolent organizations.

Was read the first and second times, and

Referred to the committee on state affairs.

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 first and second times, and

Referred to the committee on judiciary.

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 first and second times, and

Referred to the committee on judiciary.

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 first and second times, and

Referred to committee on education.

House Bill No. 142,

A bill for an act regulating the handling of gasoline.

Was read the first and second times, and

Referred to the committee on appropriations.

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 first and second times, and
Referred to the committee on appropriations.

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 first and second times, and
Referred to committee on agriculture.

House Bill No. 189,

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 the committee on public health.

House Bill No. 190,

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 committee on public health.

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 first and second times, and
Referred to the committee on judiciary.

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 first and second times, and
Referred to the committee on ways and means.

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 education.

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 first and second times, and
Referred to the committee on judiciary.

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 first and second times, and
Referred to the committee on ways and means.

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 first and second times, and
Referred to committee on appropriations.

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 first and second times, and
Referred to the committee on temperance.

THIRD READING OF HOUSE BILLS.

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 29, nays none, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—

Bacon
Carroil
Cashel
Cox
Crane

Messrs.—

Herbrandson
Johnson
Kirkeide
Lavayea
Little

Messrs.—

Plain
Robinson
Simpson
Swenson
Talcott

Messrs.—	Messrs.—	Messrs.—
Devlin	Lofthus	Taylor
Garnett	Macdonald	Voss
Geer	Main	Williams
Hagen	McArthur	Wipperman
Hale	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Gulack	Pierce
Brown	Jacobson	Regan
Clarke	LaMoure	Sharpe
Fox	Lewis	

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

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 31, nays none, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	Plain
Brown	Johnson	Regan
Carroll	Kirkeide	Robinson
Cashel	Lavayea	Simpson
Crane	Lewis	Swenson
Devlin	Lofthus	Talcott
Fox	Maddorald	Taylor
Garnett	Main	Voss
Geer	McArthur	Williams
Hagen	McLean	Wipperman
Hale		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Gulack	Little
Clarke	Jacobson	Pierce
Cox	LaMoure	Sharpe

Messrs. Benson and Pierce 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 30, nays none, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	Plain
Brown	Johnson	Regan
Cashel	Kirkeide	Robinson
Cox	LaMoure	Simpson
Crane	Lavayea	Swenson
Devlin	Lofthus	Talcott
Garnett	Macdonald	Taylor
Geer	Main	Voss
Hagen	McArthur	Williams
Hale	McLean	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Gulack	Little
Carroll	Jacobson	Pierce
Clarke	Lewis	Sharpe
Fox		

Messrs. Benson and Pierce being excused.

So the bill passed, and the title was agreed to.

Mr. Little moved

That all bills passed this day be transmitted to the house.

Which motion prevailed.

The committee on enrolled and engrossed bills made the following report:

Mr. President:

Your committee on enrolled and engrossed bills have examined 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. 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. 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. 38,

A bill for an act to regulate the price of the product of the twine and cordage plant of the state penitentiary.

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. 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. 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.

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. 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. 193,

A bill for an act pertaining to the keeping in the office of county auditor, of records of real estate transfers.

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. 216,

A bill for an act to amend section 742 of the Revised Codes of the state of North Dakota of 1899.

And find the same correctly engrossed.

H. E. LAVAYEA,

Chairman.

The secretary announced that the president was about to sign 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. 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. 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. 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.

And the president signed the same in the presence of the senate

MESSAGE FROM THE HOUSE.

The following message was received from the house:

Mr. President:

I have the honor to transmit herewith

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. 238,

A bill for an act to license solicitors for benevolent organizations.

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. 142,

A bill for an act making appropriation for support and maintenance of the North Dakota Children's Home Society.

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. 169,

A bill for an act to provide for the lien of special assessments as between vendor and vendee.

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. 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. 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.

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. 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.

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. 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. 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 of North Dakota of 1899.

Also,

House Bill No. 190,

A bill for an act to amend section 1526 of the Revised Codes of North Dakota of 1899.

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. 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. 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. 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. 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. 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.

Which the house has passed and your favorable consideration thereof is respectfully requested.

A. O. ANDERSON,
Chief Clerk.

Mr. Little moved
That the senate do now adjourn.
Which motion prevailed, and
The senate adjourned.

R. M. TUTTLE,
Secretary.

FIFTY-FOURTH DAY

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 28, 1903.

The senate met at 2 o'clock p. m., pursuant to adjournment.

The president presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Benson, Pierce and Robinson.

Messrs. Benson, Pierce and Robinson being excused.

PETITIONS AND COMMUNICATIONS.

Mr. Wipperman presented the following petition:

Hankinson, N. D., Feb. 16, 1903.

To the Hon. Max A. Wipperman, Senator of the Thirty-seventh 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 137, as we believe that the firemen are entitled to this recognition at the hands of the people.

C. E. TAYLOR,
And Twenty Others.

Mr. Main presented the following petition:

To the Honorable Members of the Eighth Legislative Assembly, Bismarck, N. D.:

Gentlemen: We, the undersigned residents of the county of Towner, N. D., respectfully request that in the division of the second judicial district, you make each district in as compact form as possible, and believe that the counties of Ramsey, Towner, Rolette, Pierce and Benson, to be the right portion to be made into a new district, and we hereby request that you divide said district accordingly.

JAMES FOGERTY,
And Sixty Others.

REFERENCE OF THE JOURNAL.

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

Mr. President:

Your committee on revision and correction of the journal of the 47th, 50th, 51st days have carefully examined the same and have no corrections to report.

On 52d day, on page 18, after line 3, add the following:

Mr. Hale moved that the report be adopted, which motion prevailed, and the report of the committee was adopted.

For 53d day we have no correction to report.

And when so amended recommend that the same be approved.

MAYNARD CRANE,
Acting Chairman,

Mr. Crane moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

REPORTS OF STANDING COMMITTEES.

The committee on insurance made the following report.

Mr. President:

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 be amended as follows:

Wherever the words (\$50,000) fifty thousand occurs, strike out and insert the words (\$25,000) twenty-five thousand.

And when so amended recommend the same do pass.

J. A. REGAN,
Chairman.

Mr. Regan 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. President:

Your committee on state affairs 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 the same be amended as follows:

Strike out all of line 8, in section 1, of printed bill.

And when so amended recommended that the same do pass.

A. B. COX
 Chairman.

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

The committee on insurance made the following report:

Mr. President:

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.

J. A. REGAN,
 Chairman.

The committee on elections made the following report:

Mr. President:

Your committee on elections 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.

HENRY HALE,
Chairman.

The committee on insurance made the following report:

Mr. President:

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 be amended as follows:

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," and 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 when so amended recommend the same do pass.

J. A. REGAN,
Chairman.

Mr. Regan 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. President:

Your committee on judiciary to whom was referred
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.

C. B. LITTLE,
Chairman.

The committee on judiciary made the following report:

Mr. President:

Your committee on judiciary to whom was referred
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.

Have had the same under consideration and recommend that the same be 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 when so amended recommend that the same do pass.

C. B. LITTLE,
Chairman.

Mr. Little 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. President:

Your committee on judiciary to whom was referred
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 be indefinitely postponed.

C. B. LITTLE,
Chairman.

Mr. Little 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. President:

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.

C. B. LITTLE,
Chairman.

The committee on judiciary made the following report:

Mr. President:

Your committee on judiciary to whom was referred
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:

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 when so amended recommend that the same do pass.

C. B. LITTLE,
Chairman.

Mr. Little 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. President:

Your committee on judiciary 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 be amended as follows:

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."

And when so amended recommend the same do pass.

C. B. LITTLE,
Chairman

Mr. Little moved
That the report be adopted.
Which motion prevailed, and

The report of the committee was adopted.

The committee on enrolled and engrossed bills made the following report:

Mr. President:

Your committee on enrolled and engrossed bills have examined 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.

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. 215,
A bill for an act changing and defining the boundaries of Stark county.

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. 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. 47.
A bill for an act to amend section 479 of the political code of the state of North Dakota for the year 1899.
And find the same correctly enrolled.

H. E. LAVAYEA,
Chairman.

Also,
The committee on enrolled and engrossed bills made the following report:

Mr. President:

Your committee on enrolled and engrossed bills have examined 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 there-
And find the same correctly engrossed.

H. E. LAVAYEA,
Chairman.

REPORT OF SPECIAL COMMITTEES.

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.

MOTIONS AND RESOLUTIONS.

Mr. Sharpe moved

That house bills 39, 168, 244, 243 be referred to committee on judiciary.

Which motion prevailed, and
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.

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. 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. 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 so referred.

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS.

Mr. Talcott introduced

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 was read the first and second times and referred to the committee on judiciary.

Mr. Regan introduced

Senate Bill No. 232,

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.

Which was read the first and second times and referred to the committee on judiciary.

Mr. Regan introduced

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.

Which was read the first and second times and referred to the committee on judiciary.

THIRD READING OF SENATE BILLS.

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 third time.

Mr. Taylor presented the following amendment to
Senate Bill No. 194:

Add to the title thereof, after the word "fairs," the words "and providing when state aid shall be available therefor."

And further, by adding after section 163, section 163a, as follows:

"Any such county agricultural or fair association may, on or before the first day in December in each year, file with the state auditor a sworn statement by the secretary of such county association showing the name of the association, date of its incorporation, amount of paid in capital stock, value of its real estate aside from improvements, value of improvements, how many fairs it has held and when, the amount of cash premiums paid at its annual fair for stock and agricultural exhibits and the total amount of cash paid out at its last annual fair for all premiums, awards and purses; also the name and postoffice address of the president, secretary and treasurer of such county association.

Section 163b. The state auditor shall present such statement to the first meeting of the state auditing board held after the receipt of such statement by the auditor. If the board are satisfied that such county association is regularly incorporated for the purposes mentioned in section 163, and is in good faith carrying out the object of its incorporation; that it owns at least \$2,000 of real estate free of encumbrance and sufficient in area for the purpose of its organization, or holds a ten years paid up lease of at least forty acres of land to be used for such fair purposes, and that it has at its last annual fair paid out in cash for premiums and purses for stock and agricultural exhibits the sum of at least five hundred dollars, the said board shall instruct the auditor to issue his warrant for the sum of five hundred dollars payable to the order of the treasurer of such county association and forward the same to his address.

"Sec. 163c. In case more than one fair association in any county qualify under this act as entitled to receive the benefits hereof after the year 1903, the sum of five hundred dollars shall be divided equally among such associations, it being the purpose of this act to encourage agricultural fairs and stock exhibits to the extent of five hundred dollars only to one county after 1903.

"Sec. 163d. For the purpose of carrying out the provisions of this act there is hereby appropriated out of any funds in the state treasury not otherwise appropriated the sum of ten thousand dollars annually, or so much thereof as may be necessary to comply herewith.

"Sec. 163e. In case more than twenty associations qualify as beneficiaries in any one year under this act, the annual sum hereby appropriated shall be equally divided among all qualified applicants."

Also strike out in line 4, section 163, printed bill, the words "that no more," and insert "should more," in lieu thereof.

Strike out the word "that" in line 15.

Insert between lines 15 and 16 the following:

"Such tax shall be divided equally between such associations."

Mr. Lewis moved

That the amendment lie over for one day.

Which motion was lost.

Mr. Taylor moved

That the amendment be adopted.

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 27, nays 4, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Jacobson	McLean
Cashel	Johnson	Plain
Crane	Kirkeide	Regan
Devlin	LaMoure	Simpson
Garnett	Lavayea	Swenson
Geer	Lofthus	Taylor
Gulack	Macdonald	Voss
Hale	Main	Williams
Herbrandson	McArthur	Wipperman

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Fox	Falcott
Cox		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Hagen	Pierce
Carroll	Lewis	Robinson
Clarke	Little	Sharpe

Messrs. Benson, Clark, Pierce and Robinson being excused.

So the bill as amended passed, and the title was agreed to.

Mr. Taylor moved

That the vote by which
Senate Bill No. 194.

Was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Crane moved that

Senate Bill No. 118,

A bill for an act establishing the state fair, locating it at Fargo, and making appropriations therefor.

Be indefinitely postponed.

Which motion prevailed, and

The bill was indefinitely postponed.

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 third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 34, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	McLean
Brown	Jacobson	Plain
Carroll	Johnson	Regan
Cashel	Kirkeide	Sharpe
Crane	LaMoure	Simpson
Devlin	Lavayea	Swenson
Fox	Little	Talcott
Garnett	Lofthus	Taylor
Geer	Macdonald	Voss
Gulack	Main	Williams
Hagen	McArthur	Wipperman
Hale		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Cox	Pierce
Clarke	Lewis	Robinson

Messrs Benson, Pierce and Robinson being excused.
So the bill passed and the title was agreed to.

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. Johnson moved

That the bill be amended as follows :

By inserting after the word "time," in line 11, page 1, of printed bill, the words "provided, further" that if an unregistered male shall run at large during the time when stock is permitted to run at large as herein provided, and serve a registered female, the owner of such unregistered male shall be liable to the owner of such registered female to the extent of the difference of value between the off-spring of such union and the value of the off-spring of such female when served by a registered male."

Which motion prevailed.

The question being upon the final passage of the bill as amended.

The roll was called and there were ayes 29, nays 2, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	McLean
Carroll	Herbrandson	Plain
Cashel	Jacobson	Regan
Crane	Johnson	Sharpe
Devlin	LaMoure	Swenson

Messrs.—	Messrs.—	Messrs.—
Fox	Lavayea	Talcott
Garnett	Little	Taylor
Geer	Lofthus	Voss
Gulack	Macdonald	Williams
Hagen	Main	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Kirkeide	Pierce
Clarke	Lewis	Robinson
Cox	McArthur	Simpson

Messrs. Brown and Wiperman voted in the negative.

Messrs Benson, Pierce and Robinson being excused.

So the bill as amended 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.

The question being upon the final passage of the bill.

The roll was called and there were ayes 29, nays none, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hagen	Main
Brown	Hale	McArthur
Cashel	Herbrandson	McLean
Cox	Jacobson	Plain
Crane	Johnson	Sharpe
Devlin	Kirkeide	Swenson
Fox	LaMoure	Taylor
Garnett	Little	Williams
Geer	Lofthus	Wiperman
Gulack	Macdonald	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Lewis	Simpson
Carroll	Pierce	Talcott
Clarke	Regan	Voss
Lavayea	Robinson	

Messrs. Benson, Clarke, Pierce and Robinson being excused.

So the bill passed and the title was agreed to.

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 third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 31, nays none, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	Main
Brown	Herbrandson	McArthur
Cashel	Jacobson	McLean
Cox	Johnson	Sharpe
Crave	Kirkeide	Swenson
Devlin	LaMoure	Talcott
Fox	Lavayer	Taylor
Garnett	Little	Voss
Geer	Lofthus	Williams
Gulack	Macdonald	Wipperman
Hagen		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Lewis	Regan
Carroll	Pierce	Robinson
Clarke	Plain	Simpsoc

Messrs. Benson, Clarke, Pierce and Robinson 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.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 30, nays 4, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	McLean
Brown	Herbrandson	Plain
Carroll	Jacobson	Regan
Cashel	Kirkeide	Sharpe
Cox	LaMoure	Swenson
Devlin	Lavayer	Talcott
Fox	Lewis	Taylor
Garnett	Little	Voss
Geer	Lofthus	Williams
Hagen	McArthur	Wipperman

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Crane	Johnson	Macdonald
Gulack		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Berson	Main	Robinson
Clarke	Pierce	Simpson

Messrs. Benson, Clarke, Pierce and Robinson 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 22, nays 11, absent and not voting 7.

Those who voted in the affirmative were:

Messrs —	Messrs.—	Messrs —
Cashef	Johnson	Plain
Crane	Kirkeide	Regan
Devlin	Lavaeya	Swenson
Fox	Lofthus	Talcott
Geer	Macdonald	Taylor
Gulack	Main	Williams
Hagen	McArthur	Wippenman
Herbrandson		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Garnett	McLean
Brown	Hale	Sharpe
Carroll	Jacobson	Voss
Cox	LaMoure	

Absent and not voting:

Messrs —	Messrs.—	Messrs.—
Benson	Little	Robinson
Clarke	Pierce	Simpson
Lewis		

Messrs Benson, Clarke, Pierce and Robinson being excused.

So the bill passed and the title was agreed to.

Mr. Johnson moved

That the vote by which

Senate Bill No. 168

Was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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 third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 26, nays 7, absent not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Gulack	Main
Carroll	Hagen	Regan
Cashel	Herbrandson	Sharpe
Cox	Jacobson	Simpson
Crane	Johnson	Swenson
Devlin	LaMoure	Taylor
Fox	Little	Voss
Garnett	Lofthus	Williams
Geer	Macdonald	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Kirkeide	McLean	Talcott
Lavayea	Plain	Wipperman
McArthur		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Benson	Hale	Pierce
Brown	Lewis	Robinson
Clarke		

Messrs. Benson, Clarke, Pierce and Robinson being excused.

So the bill passed and the title was agreed to.

Mr. Devlin offered the following amendment 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

And moved its adoption:

Section 2. Whereas, there is no provision of law permitting the organization of special school districts in cities of a limited population, therefore an emergency exists and this act shall take effect and be in force from and after its passage and approval.

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 as amended.

The roll was called and there were ayes 33, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	McArthur
Brown	Herbrandson	McLean
Carroll	Jacobson	Plain
Cashel	Johnson	Regan
Cox	Kirkeide	Sharpe
Crane	LaMoure	Simpson
Devlin	Lavayea	Swenson
Garnett	Little	Talcott
Geer	Lofthus	Taylor
Gulack	Macdonald	Voss
Hagen	Main	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Lewis	Williams
Clarke	Pierce	
Fox	Robinson	

Messrs. Benson, Clarke, Pierce and Robinson 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 35, nays none, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	McLean
Brown	Herbrandson	Plain
Carroll	Johnson	Regan
Cashel	Kirkeide	Sharpe
Clarke	LaMoure	Swenson
Crane	Lewis	Simpson
Devlin	Little	Talcott
Fox	Lofthus	Taylor
Garnett	Lavayea	Voss
Geer	Macdonald	Williams
Gulack	Main	Wipperman
Hagen	McArthur	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Jacobson	Robinson
Cox	Pierce	

Messrs. Benson, Clarke, Pierce and Robinson being excused.

So the bill passed and the title was agreed to.

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.

Was read the third time.

The question being upon the final passage of the bill:

The roll was called and there were ayes 32, nays 2, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Gulack	McLea2
Brown	Hagen	Plain
Carrroll	Herbrandson	Regan
Cashel	Johnson	Sharpe
Clarke	Kirkeide	Simpson
Cox	LaMoure	Swenson
Crane	Lavayea	Talcott
Devlin	Lofthus	Taylor
Fox	Macdonald	Williams
Garnett	Main	Wipperman
Geer	McArthur	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Lewis	Robinson
Hale	Pierce	Voss

Messrs. Jacobson and Little voted in the negative.

Messrs Benson, Pierce and Robinson being excused.

So the bill passed and the title was agreed to.

Mr. Hale moved

That the vote by which all senate bills passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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 29, nays 1, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Carrroll	Herbrandson	McArthur
Cashel	Jacobson	McLean
Cox	Johnson	Plain
Crane	Kirkeide	Regan
Fox	LaMoure	Simpson
Garnett	Lavayea	Swenson
Geer	Little	Talcott
Gulack	Lofthus	Taylor
Hagen	Macdonald	Wipperman
Hale	Main	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Lewis	Sharpe
Benson	Pierce	Voss
Clarke	Robinson	Williams
Devlin		

Mr. Brown voted in the negative.

Messrs Benson, Pierce and Robinson being excused.

So the bill passed and the title was agreed to.

Mr. Lavayea moved

That the vote by which House Bill No. 123 was passed, be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

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 34, nays 1, absent and not voting 5

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	Main
Brown	Herbrandson	McArthur
Carroll	Jacobson	McLean
Cashel	Johnson	Plain
Clarke	Kirkeide	Regan
Cox	LaMoure	Sharpe
Crane	Lavayea	Simpson
Devlin	Lewis	Swenson
Fox	Little	Talcott
Garnett	Lofthus	Taylor
Geer	Macdonald	Williams
Gulack		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Pierce	Voss
Hagen	Robinson	

Mr. Williams voted in the negative.

Messrs Benson, Pierce and Robinson being excused.

So the bill passed and the title was agreed to.

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 upon the final passage of the bill.

The roll was called and there were ayes 23, nays none, absent and not voting 17.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Johnson	McLean
Brown	Kirkeide	Regan
Cashel	LaMoure	Simpson
Crane	Lavayea	Swenson
Devlin	Lofthus	Talcott
Geer	Macdonald	Taylor
Hale	Main	Wipperman
Herbrandson	McArthur	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Gulack	Plain
Carroll	Hagen	Robinson
Clarke	Jacobson	Sharpe
Cox	Lewis	Voss
Fox	Little	Williams
Garnett	Pierce	

Messrs Benson, Pierce and Robinson being excused

So the bill passed and the title was agreed to.

Mr. Cashel moved

That the vote by which House Bill No. 35 was passed, be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

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 third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 25, nays none, absent and not voting 15.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Johnson	McLean
Carroll	Kirkeide	Plain
Cashel	LaMoure	Regan
Crane	Lavayea	Simpson
Devlin	Lofthus	Swenson
Fox	Macdonald	Talcott
Geer	Main	Taylor
Hale	McArthur	Wipperman
Herbrandson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Gulack	Pierce
Benson	Hagen	Robinson
Clarke	Jacobson	Sharpe
Cox	Lewis	Voss
Garnett	Little	Williams

Messrs. Benson, Cox and Pierce being excused.

So the bill passed and the title was agreed to.

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 24, nays 1, absent and not voting 15.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Herbrandson	Main
Carroll	Jacobson	McArthur
Cashel	Johnson	McLean
Devlin	Kirkeide	Plain
Fox	LaMoure	Regan
Geer	Lavayea	Swenson
Gulack	Lofthus	Talcott
Hale	Macdonald	Taylor

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Hagen	Sharpe
Clarke	Lewis	Simpson
Cox	Little	Voss
Crane	Pierce	Williams
Garnett	Robinson	Bacon

Mr. Wipperman voted in the negative.

Messrs Benson, Pierce and Robinson being excused.

So the bill passed and the title was agreed 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.

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 6, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Geer	Little
Brown	Gulack	Macdonald
Carroll	Hale	McLean
Cashel	Jacobson	Sharpe
Crane	Johnson	Simpson
Devlin	LaMoure	Talcott
Fox	Lavayea	Taylor
Garnett	Lewis	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Herbrandson	Lofthus	McArthur
Kirkeide	Main	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Pierce	Swenson
Clarke	Plain	Voss
Cox	Regan	Williams
Hagen	Robinson	

Messrs Benson, Pierce and Robinson being excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 26, 1903.

Mr. President:

I have the honor to transmit herewith
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 house has passed with the following amendment, amending the title by adding the words :

“Relating to the qualifications of voters,”

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.

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.

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.

Which the house has passed unchanged.

Respectfully,

A. O. ANDERSON,

Chief Clerk.

Also,

Mr. President:

I have the honor to transmit herewith

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. 257,

A bill for an act changing and defining the boundaries of Billings county.

Also,

House Bill No. 246,

A bill for an act regulating the handling and selling of gasoline.

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."

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. 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. 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. 224,

A bill for an act to promote forest tree culture.

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. 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,

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. 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. 79,

A bill for an act concerning land titles.

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. 258,

A bill for an act changing and defining the boundaries of Stark 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.

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.

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. 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. 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. 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. 245,

A bill for an act fixing the terms of district court in LaMoire 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. 261,

A bill for an act changing and defining the boundaries of Mercer county.

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.

Which the house has passed and your favorable consideration thereof is respectfully requested.

A. O. ANDERSON,

Chief Clerk.

Mr. President:

I have the honor to transmit herewith

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. 206,

For an act to amend chapter 114 of the session laws of 1901, relating to jurors.

Which the house has passed and your favorable consideration is requested.

Respectfully,

A. O. ANDERSON,

Chief Clerk.

Mr. LaMoure moved

That all house bills have their first and second reading and reference.

Which motion prevailed.

FIRST AND SECOND READING OF HOUSE BILLS.

House Bill No. 79,

A bill for an act concerning land titles.

Was read the first and second times, and

Referred to the committee on judiciary.

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 first and second times, and

Referred to the committee on judiciary.

House Bill No. 261,

A bill for an act changing and defining the boundaries of Mercer county.

Was read the first and second times, and

Referred to the committee on judiciary.

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 first and second times and

Rererred to the committee on judiciary.

House Bill No. 245,

A bill for an act fixing the terms of district court in LaMoure county, North Dakota.

Was read the first and second times and

Referred to the committee on judiciary.

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 first and second times and

Referred to the committee on banks and banking.

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 first and second times and

Referred to the committee on state affairs.

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 first and second times and

Referred to the committee on judiciary.

House Bill No. 239,

A bill for an act providing for the assessment and collection of collateral succession or inheritance tax.

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

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 first and second times, and
Referred to the committee on judiciary.

House Bill No. 258,

A bill for an act changing and defining the boundaries of Stark county.

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

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.

Was read the first and second times, and
Referred to the committee on appropriations.

House Bill No. 215,

A bill for an act to prevent the sale and use in this state of dangerous and impure oils.

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

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 judiciary.

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 first and second times, and
Referred to the committee on state affairs.

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 first and second times, and
Referred to the the committee on state affairs.

House Bill No. 224,

A bill for an act to promote forest tree culture.

Was read the first and second times, and
Referred to the committee on agriculture.

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.

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 first and second times, and
Referred to the committee on state affairs.

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 first and second times, and
Referred to the committee on appropriations.

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."

Was read the first and second times, and
Referred to the committee on municipal corporations.

House Bill No. 246,

A bill for an act regulating the handling and selling of gasoline.

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

House Bill No. 257,

A bill for an act changing and defining the boundaries of Billings county.

Was read the first and second times and
Referred to the committee on judiciary.

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 first and second times and
Referred to the committee on state affairs.

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 first and second times and
Referred to the committee on judiciary.

House Bill No. 206,

For an act to amend chapter 114 of the session laws of 1901, relating to jurors.

Was read the first and second times and
Referred to the committee on judiciary.

Mr. Hale moved

That the following resolution be adopted:

Resolved, That there be printed one hundred extra copies of the permanent edition of the Senate Journal to be distributed by the secretary of state to the newspapers of the state, when they request the same.

Which motion prevailed.

The secretary announced that the president was about to sign
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. 47.

A bill for an act to amend section 479 of the political code of the state of North Dakota for the year 1899.

And the president signed the same in the presence of the senate.

The courtesies of the floor were extended the following: Jas. W. Still, W. E. Hicks, J. B. Taylor and E. H. Bergman.

Mr. Lewis moved

That the senate do now adjourn.

Which motion prevailed, and

The senate adjourned.

R. M. TUTTLE,

Secretary.

FIFTY-SIXTH DAY

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 2, 1903.

The senate met at 2 o'clock p. m. pursuant to adjournment.

The president presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Benson, Pierce and Robinson.

Messrs Benson, Pierce and Robinson being excused.

PETITIONS AND COMMUNICATIONS.

Mr. Lavayea presented the following petition:

The undersigned hereby petition your honorable body to pass Senate Bill No. 42, introduced by Senator Shiels 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 conviction of persons violating the prohibitory law.

The above was endorsed by a vote by a meeting of Grand Forks Sunday School Union in the city (or town) of Larimore, state of North Dakota, on Feb. 22, 1903, and the undersigned were authorized to so attest.

G. W. MOWRIS,

And Twenty-six Others.

The following petition was presented:

The undersigned hereby petition your honorable body to pass Senate Bill No. 42, introduced by Senator Lavayea, 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 conviction of persons violating the prohibitory law.

The above was endorsed by vote by a meeting of citizens in the town of Hannaford, state of North Dakota, on Feb. 27, 1903, and the undersigned were authorized to so attest.

W. S. HYDE,

And Twenty-seven Others.

REPORTS OF STANDING COMMITTEES.

The committee on judiciary made the following report:

Mr. President:

Your committee on judiciary to whom was referred

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. 257,

A bill for an act changing and defining the boundaries of Bilings county.

Have had the same under consideration and recommend that the same do pass.

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.

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. 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. 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 do pass.

C. B. LITTLE,
Chairman.

The committee on judiciary made the following report:

Mr. President:

**Your committee on judiciary 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:

On page 13, of printed bill, section 18, line 8, after the word "Bathgate," strike out the words "the board of trustees of the industrial school and the school for manual training at Ellendale."

Also on page 14, the same section, in line 20, after the word "Bathgate," strike out the words "industrial school and the school for manual training at Ellendale."

Also on page 14, same section, in line 24, after the words "agricultural college," add the words "the industrial school and the school for manual training."

And when so amended report the same without further consideration.

C. B. LITTLE,
Chairman.

The committee on judiciary made the following report:

Mr. President:

**Your committee on judiciary 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 be 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.

And when so amended recommend that the same do pass.

C. B. LITTLE,
Chairman.

Mr. Little 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. President:

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,
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.

C. B. LITTLE,
Chairman.

The committee on judiciary made the following report:

Mr. President:

Your committee on judiciary, 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 be amended as follows:

In section 1, line 5, of printed bill, after the word "purchaser," insert
the words, "or his assigns."

In line 6, of same section, after the word "purchaser," insert the words
"or his assigns."

In line 3, of section 2, after the word "shall," insert the words "within
a reasonable time after such default"

In line 4, of section 2, after the word "purchaser," insert "or his
assigns."

In line 1, section 4, after the word "purchaser," insert "or his
assigns."

Insert after the word "purchaser" in the title of the bill the words
"or his assigns."

And when so amended recommend the same do pass.

C. B. LITTLE,
Chairman.

Mr. Little moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on public health made the following report:

Mr. President:

Your committee on public health 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, relating to interrogatories and property statement prerequisite to admission of patients to hospital for insane.

Have had the same under consideration, and recommend that the same do pass.

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.

Have had the same under consideration and recommend that the same do pass.

J. D. TAYLOR,

Chairman.

The committee on city and municipal corporations made the following report:

Mr. President:

Your committee on city and municipal corporations to whom was referred

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.

J. D. BACON,

Chairman.

The committee on state affairs made the following report:

Mr. President:

Your committee on state affairs to whom was referred

Senate Bill No. 205,

A bill for an act amending sections 3594 and 3595 of the Revised Codes.

Have had the same under consideration and recommend that the same do pass.

A. B. COX,

Chairman.

The committee on warehouses, grain and grain grading made the following report:

Mr. President:

Your committee on warehouses, grain and grain grading 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.

F. S. TALCOTT,
Chairman.

The committee on appropriations made the following report:

Mr. President:

Your committee on appropriations to whom was referred:

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.

JUDSON LaMOURE,
Chairman.

The committee on corporations other than municipal made the following report:

Mr. President:

Your committee on corporations other than municipal to whom was referred

Senate Bill No. 146,

A bill for an act requiring all telegraph companies whose business is exclusively to transmit messages by telegraph, to keep open their offices at all hours in towns of 2,000 population or over, and prescribing a penalty for the violation thereof.

Have had the same under consideration, and recommend that the same do pass.

MAYNARD CRANE,
Chairman.

The committee on education made the following report:

Mr. President:

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.

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.

Have had the same under consideration and recommend that the same do pass.

H. E. LAVAYEA,
Chairman.

The committee on agriculture made the following report:

Mr. President:

Your committee on agriculture 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.

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.

Have had the same under consideration and recommend that the same do pass.

IVER SWENSON,
Chairman.

MOTIONS AND RESOLUTIONS.

Mr. Lavayea moved

That Grant Call be named as page for the balance of the session.

Which motion prevailed, and
Grant Call was sworn in by the president.

FIRST AND SECOND READING AND REFERENCE OF
SENATE BILLS.

Mr. Lewis introduced
Senate Bill No. 234,

A bill for an act to authorize organized civil townships to adopt the contract system of road work and prescribing the procedure thereunder.

Which was read the first and second times, and
Referred to the committee on highways and bridges.

THIRD READING OF SENATE BILLS.

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 33, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hagen	McArthur
Brown	Hale	McLean
Carroll	Herbrandson	Plain
Cashel	Jacobson	Regan
Cor	Johnson	Sharpe
Crane	Kirkeide	Simpson
Devlin	LaMoure	Talcott
Fox	Lavayea	Taylor
Garnett	Lofthus	Voss
Geer	Macdonald	Williams
Gulack	Main	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Little	Robinson
Clarke	Pierce	Swenson
Lewis		

Messrs Benson, Pierce and Robinson being excused.

So the bill passed and the title was agreed to.

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 third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 24, nays 8, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Crane	Johnson	McArthur
Devlin	Kirkeide	McLean
Fox	LaMoure	Plain
Garnett	Lavayea	Simpson
Geer	Lewis	Talcott
Hagen	Lofthus	Voss
Herbrandson	Macdonald	Williams
Jacobson	Main	Wipperman

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Cox	Sharpe
Brown	Hale	Taylor
Cashel	Regan	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Gulack	Robinson
Carroll	Little	Swenson
Clarke	Pierce	

Messrs Benson, Pierce and Robinson being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 42,

A bill for an act to repeal section 7594 of the Revised Codes of North Dakota, relating to druggists' permits.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 20, nays 14, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Johnson	McLean
Crane	Kirkeide	Plain
Fox	Lavayea	Simpson
Gulack	Lofthus	Voss
Hagen	Macdonald	Williams
Herbrandson	Main	Wipperman
Jacobson	McArthur	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Garnett	Regan
Carroll	Geer	Sharpe
Cashel	Hale	Talcott
Cox	LaMoure	Taylor
Devlin	Lewis	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Little	Robinson
Clarke	Pierce	Swenson

Messrs Benson, Pierce and Robinson being excused.

So the bill was lost.

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 third time.

The question being upon the final passage of the bill:

The roll was called and there were ayes 31, nays none, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	McArthur
Brown	Jacobson	McLean
Carroll	Johnson	Plain
Cashel	Kirkeide	Regan
Cox	LaMoure	Sharpe
Devlin	Lavayea	Simpson
Fox	Lewis	Talcott
Geer	Lofthus	Voss
Gulack	Macdonald	Williams
Hagen	Main	Wipperman
Hale		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Garnett	Robinson
Clarke	Little	Swenson
Crane	Pierce	Taylor

Messrs Benson, Pierce and Robinson 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.

Was read the third time.

The question being upon the final passage of the bill

The roll was called and there were ayes 32, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	McLean
Brown	Herbrandson	Plain
Cashel	Johnson	Regan
Cox	Kirkeide	Sharpe
Crane	LaMoure	Simpson
Devlin	Lavayea	Swenson
Fox	Little	Talcott
Garnett	Lofthus	Taylor
Geer	Macdonald	Williams
Gulack	Main	Wipperman
Hagen	McArthur	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Jacobson	Robinson
Carroll	Lewis	Voss
Clarke	Pierce	

Messrs Benson, Pierce and Robinson being excused.

So the bill passed.

Mr. Taylor moved to amend the title of Senate Bill No. 149 to read as follows:

Senate Bill No. 149,

A bill for an act to amend and re-enact sections 998 and 998a of the Revised Codes 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 motion prevailed, and

The title as amended was agreed to.

Senate Bill No. 225,

A bill for an act licensing auctioneers and prescribing penalties for acting as such without license.

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 7, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Johnson	McLean
Cashel	LaMoure	Plain
Cox	Lavayea	Sharpe
Fox	Lewis	Simpson
Garnett	Little	Swenson
Gulack	Lofthus	Talcott
Hale	Macdonald	Taylor
Herbrandson	Main	Voss

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Devlin	Kirkeide	Williams
Geer	McArthur	Wipperman
Hagen		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Clarke	Pierce
Benson	Crane	Regan
Carroll	Jacobson	Robinson

Messrs Benson, Pierce and Robinson being excused.

So the bill passed and the title was agreed to.

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.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 34 nays none, absent and not voting, 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	McLean
Brown	Herbrandson	Plain
Carroll	Jacobson	Regan
Cashel	Johnson	Sharpe
Clarke	LaMoure	Simpson
Cox	Lavaea	Swenson
Crane	Little	Talcott
Devlin	Lofthus	Taylor
Garnett	Macdonald	Voss
Geer	Main	Williams
Gulack	McArthur	Wipperman
Hagen		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Kirkeide	Pierce
Fox	Lewis	Robinson

Messrs Benson, Pierce and Robinson being excused.

So the bill passed and the title was agreed to.

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.

Was read the third time.

The question being upon the final passage of the bill

The roll was called and there were ayes 34, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hagen	McLean
Brown	Hale	Plain
Carroll	Herbrandson	Regan
Cashel	Johnson	Sharpe
Clarke	Kirkeide	Simpson
Cox	LaMoure	Swenson
Crane	Lavayea	Talcott
Devlin	Lofthus	Taylor
Fox	Macdonald	Voss
Garnett	Main	Williams
Geer	McArthur	Wipperman
Gulack		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Lewis	Pierce
Jacobson	Little	Robinson

Messrs Benson, Pierce and Robinson being excused.

So the bill passed and the title was agreed to.

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 35, nays none, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	McLean
Brown	Herbrandson	Plain
Carroll	Johnson	Regan
Cashel	Kirkeide	Sharpe
Clarke	LaMoure	Simpson
Cox	Lavayea	Swenson
Crane	Lewis	Talcott
Devlin	Little	Taylor
Fox	Lofthus	Voss
Garnett	Macdonald	Williams
Geer	Main	Wipperman
Hagen	McArthur	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Jacobson	Robinson
Gulack	Pierce	

Messrs. Benson, Pierce and Benson being excused.

So the bill passed and the title was agreed to.

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 34, nays 1, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hagen	Main
Brown	Hale	McArthur
Carroll	Herbrandson	McLean
Cashel	Johnson	Regan
Clarke	Kirkeide	Sharpe
Cox	LaMoure	Simpson
Crane	Lavayea	Swenson
Devlin	Lewis	Talcott
Fox	Little	Taylor
Garnett	Lofthus	Voss
Geer	Macdonald	Williams
Gulack		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Pierce	Robinson
Jacobson	Plain	

Mr. Wipperman voted in the negative.

Messrs Benson, Pierce and Robinson being excused.

So the bill passed and the title was agreed 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.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 33, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Gulack	McArthur
Brown	Hagen	McLean
Carroll	Hale	Plain

Messrs.—	Messrs.—	Messrs.—
Cashel	Herbrandson	Regan
Clarke	Johnson	Simpson
Cox	Kirkeide	Swenson
Crane	Lavayea	Talcott
Devlin	Lewis	Taylor
Fox	Lofthus	Voss
Garnett	Macdonald	Williams
Geer	Main	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Little	Robinson
Jacobson	Pierce	Sharpe
LaMoure		

Messrs Benson, Pierce and Robinson being excused.

So the bill passed and the title was agreed to.

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 29, nays 3, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Hale	Plain
Carroll	Herbrandson	Regan
Cashel	Jacobson	Simpson
Clarke	Johnson	Swenson
Crane	LaMoure	Talcott
Devlin	Little	Taylor
Fox	Macdonald	Voss
Geer	Main	Williams
Gulack	McArthur	Wipperman
Hagen	McLean	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Kirkeide	Lofthus

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Lavayea	Robinson
Cox	Lewis	Sharpe
Garnett	Pierce	

Messrs. Benson, Pierce and Robinson being excused.

So the bill passed and the title was agreed to.

Mr. Regan moved

That the vote by which Senate Bill No. 42 was lost be reconsidered.

Which motion prevailed.

Mr. Crane moved a call of the senate.

Which prevailed.

The call of the senate was dispensed with.

Senate Bill No. 42,

A bill for an act to repeal section 7594 of the Revised Codes of North Dakota, relating to druggists' permits.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 16, nays 21, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Kirkeide	Plain
Crane	Lavyea	Simpson
Hagen	Macdonald	Voss
Herbrandson	Main	Williams
Jacobson	McArthur	Wipperman
Johnson		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Garnett	Lofthus
Carroll	Geer	McLean
Cashel	Gulack	Regan
Clarke	Hale	Sharpe
Cox	LaMoure	Swenson
Devlin	Lewis	Talcott
Fox	Little	Taylor

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Pierce	Robinson

Messrs Benson, Pierce and Robinson being excused.

So the bill was lost.

Mr. Cox moved

That the vote by which Senate Bill No. 42 was lost be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Taylor moved the following amendment to House Bill No. 18,

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

That the title be amended 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."

Also in section 13, line 7, of the engrossed bill, after the syllable "tician," insert the words "skilled in the art of optometry."

Which motion prevailed.

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 33, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Hale	Main
Carroll	Herbrandson	McArthur
Cashel	Jacobson	McLean
Clarke	Johnson	Plain
Cox	Kirkeide	Sharpe
Crane	LaMoure	Simpson
Devlin	Lavayea	Swenson
Fox	Lewis	Talcott
Geer	Little	Taylor
Gulack	Lofthus	Voss
Hagen	Macdonald	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Pierce	Robinson
Benson	Regan	Williams
Garnett		

Messrs. Benson, Pierce and Robinson being excused.

So the bill passed and the title was agreed to.

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 31, nays none, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	McArthur
Brown	Herbrandson	Plain
Carroll	Kirkeide	Regan
Cashel	LaMoure	Sharpe
Clarke	Lavayea	Swenson
Cox	Lewis	Talcott
Crane	Little	Taylor
Devlin	Lofthus	Voss
Fox	Macdonald	Williams
Geer	Main	Wipperman
Hagen		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Jacobson	Pierce
Garnett	Johnson	Robinson
Gulack	McLean	Simpson

Messrs Benson, Pierce and Robinson being excused

So the bill passed and the title was agreed 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.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 36, nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Hale	McArthur
Carroll	Herbrandson	McLean
Cashel	Jacobson	Plain
Clarke	Johnson	Regan
Cox	Kirkeide	Sharpe
Crane	LaMoure	Simpson
Devlin	Lavayea	Swenson
Fox	Lewis	Talcott
Garnett	Little	Taylor
Geer	Lofthus	Voss
Gulack	Macdonald	Williams
Hagen	Main	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Pierce	Robinson
Benson		

Messrs Benson, Pierce and Robinson being excused.

So the bill passed and the title was agreed to.

Mr. Cox moved

That the senate do now concur in the house amendment to Senate Bill No. 82.

Which motion prevailed.

The question being upon the adoption of the house amendments to

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.

The roll was called and there were ayes 30, nays none, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Carroll	Herbrandson	Plain
Clarke	Jacobson	Regan
Cox	Johnson	Sharpe
Crave	Lavayea	Simpson
Devlin	Lewis	Swenson
Fox	Little	Talcott
Geer	Lofthus	Taylor
Gulack	Main	Voss
Hagen	McArthur	Williams
Hale	McLean	Wipperfurth

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Garnett	LaMoure
Benson	Pierce	Macdonald
Brown	Kirkeide	Robinson
Cashel		

Messrs. Benson, Pierce and Robinson being excused.

So the amendments were concurred in.

Mr. Lavayea moved

That the senate concur in the request from the house in regard to House Bill No. 35, and that a conference committee of three be appointed by the chair.

Which motion prevailed.

The president announced on such committee Messrs. Lavayea, Hale and Talcott.

Mr. LaMoure moved

That all house bill have their first and second reading and reference.

Which motion prevailed.

FIRST AND SECOND 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 first and second times, and

Referred to the committee on judiciary.

House Bill 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 first and second times, and

Referred to the committee on judiciary.

Mr. Taylor moved

That the senate do now concur in the house amendment to Senate Bill No. 195.

Which motion prevailed.

The question being on the house amendments to 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.

The roll was called and there were ayes 35, nays none, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—

Bacon
Brown
Carroll
Cashel
Clarke
Cox
Devlin
Garnett
Geer
Gulack
Hagen
Hale

Messrs.—

Herbrandson
Jacobson
Johnson
Kirkeide
LaMoure
Lavayea
Lewis
Little
Lofthus
Macdonald
Main
McArthur

Messrs.—

McLean
Plain
Regan
Sharpe
Simpson
Swenson
Talcott
Taylor
Voss
Williams
Wipperman

Absent and not voting:

Messrs.—

Benson
Crane

Messrs.—

Fox
Pierce

Messrs.—

Robinson

Messrs Benson, Pierce and Robinson being excused.

So the bill as amended by the house was passed and the title was agreed to.

Mr. Little moved

That all senate bills and house bills passed this day be transmitted to the house.

Which motion prevailed.

The committee on enrolled and engrossed bills made the following report:

Mr. President:

Your committee on enrolled and engrossed bills have examined Senate Bill No. 225,

A bill for an act licensing auctioneers and prescribing penalties for acting as such without license.

And find the same correctly engrossed.

H. E. LAVAYEA,
Chairman.

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. 149,

A bill for an act to amend sections 998 and 998a of the Revised Codes of North Dakota of 1899.

H. E. LAVAYEA,
Chairman.

Senate Bill No. 107,

A bill for an act to prevent the sale and use in this state of dangerous and impure oils.

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 find the same correctly enrolled.

H. E. LAVAYEA,
Chairman.

The committee on enrolled bills made the following report:

Mr. President:

Your committee on enrolled bills respectfully report that at the hour of 3:30 p. m., on February 28th

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.

Were delivered to his excellency, the governor, for his approval.

H. E. LAVAYEA,

Chairman.

The committee on enrolled bills made the following report:

Mr. President:

Your committee on enrolled bills respectfully report that at the hour of 2:35 p. m., on March 2d

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.

Were delivered to his excellency, the governor, for his approval.

H. E. LAVAYEA,

Chairman.

The committee on enrolled bills made the following report:

Mr. President:

Your committee on enrolled bills respectfully report that at the hour of 4:45 p. m. on February 27

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. 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. 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. 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.

Were delivered to his excellency, the governor, for his approval.

H. E. LAVAYEA,
Chairman.

Mr. Bacon moved that
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.

Be recalled from the governor for correction and re-referred to the committee on judiciary.

Which motion prevailed.

EXECUTIVE SESSION.

The senate went into executive session to consider a sealed communication from the governor.

The following nominations of the governor were confirmed:

TRUSTEES OF AGRICULTURAL COLLEGE.

As trustees of the Agricultural college, Alex, Stern and S. S. Lyon, of Fargo, Addison Leech, of Warren, and Charles McKissick, of Mayville, each for a term of four years from the first Tuesday in April, 1903.

TRUSTEES OF DEAF AND DUMB ASYLUM.

As trustees of the deaf and dumb asylum, Alexander McLean, of Ramsey county, and A. J. F. Voigt, of Benson county, each for a term of four years from the first Tuesday in April, 1903.

TRUSTEES OF THE HOSPITAL FOR THE INSANE.

As trustees of the hospital for the insane, S. G. More, of Cass county, for a term of two years, Frank Ingalls, of Stutsman county, M. L. Elkins, of Traill county, and James Hackney, of Eddy county, each for a term of four years from the first Tuesday in April, 1903.

TRUSTEES OF REFORM SCHOOL.

As trustees of the reform school, W. J. Etherington, of Oliver county, and Henry Gilbert, of Billings county, each for a term of four years, and W. H. Webb, Jr., of Burleigh county, for a term of two years, from the first Tuesday in April, 1903.

TRUSTEES OF SOLDIERS' HOME.

As trustees of the Soldiers' home, Harris Gardner, of Ransom county, and John D. Black, of Barnes county, each for a term of four years.

MESSAGE FROM THE GOVERNOR.

The following communication was received from the governor:

EXECUTIVE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 2, 1903.

To the Senate:

I have the honor to inform you that I have approved and filed with the honorable secretary of state

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. 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. 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. 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. 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.

I have the honor to be

Very respectfully,

FRANK WHITE,

Governor,

The secretary announced that the president is 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 and contingent expenses for the state hospital for the insane at Jamestown, North Dakota.

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.

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 occu-

pation, increasing the ordinary county revenue by such taxation and prescribing penalties for a violation of its provisions.

And the same were signed in the presence of the senate.

MESSAGE FROM THE HOUSE.

The following message was received from the house:

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 2, 1903.

Mr. President:

I have the honor to inform you that the house has concurred in 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.

A. O. ANDERSON,
Chief Clerk.

Mr. President:

I have the honor to inform the senate that Senate Bill No. 47 to amend section 479 of the political code of the state of North Dakota for the year 1899 was messaged to the senate on Saturday last as passed by the house unchanged when in fact the title of the bill was amended by adding thereto the words "Relating to the qualifications of electors." As the bill has been sent to the governor without the amendment it is suggested that it be re-

called and that the senate concur in the amendment and pass the bill when so amended.

A. O. ANDERSON,
Chief Clerk.

Mr. President:

I have the honor to transmit herewith
House Bill No. 275,

A bill for an act prescribing who may execute assignments, discharges, etc., of liens on real estate on behalf of corporations.

Also,
House Bill 278,

A bill for an act to amend section 4792, codes of 1899, relating to clerk of court's record of mechanic's liens.

Which the house has passed and your favorable consideration thereof is respectfully requested.

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. 114,

A bill for an act to amend chapter 179 of the session laws of 1901.

Which the house has passed unchanged.

Also,
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.

Which the house has amended as follows:

By striking out the word "fifty" before dollars and inserting in lieu thereof the word "ten."

And your concurrence therein is requested.

A. O. ANDERSON,
Chief Clerk.

Mr. President:

I have the honor to inform the senate that the house has refused to concur in the senate amendment to House Bill 35, relating to education, and has asked for a conference on the disagreeing votes of the two houses, and has appointed as conferees on the part of the house Messrs. Kraabel, Davis and Lee.

A. O. ANDERSON,
Chief Clerk.

Mr. President:

I have the honor to transmit herewith

Senate Bill No. 25,

A bill for an act in relation to the defense of suicide: 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.

Which the house has passed unchanged.

Respectfully

A. O. ANDERSON,

Chief Clerk.

Mr. President:

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 of 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.

Which the house has 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 your concurrence therein is requested.

Respectfully,

A. O. ANDERSON,

Chief Clerk.

Mr. President:

I have the honor to transmit herewith

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. 123,

A bill for an act authorizing the board of trustees of the industrial school at Ellendale to issue bonds.

Also,

Senate Bill No. 68,

A bill for an act changing the location of the institution for feeble minded from Jamestown to Grafton.

Which the house has passed unchanged.

A. O. ANDERSON,

Chief Clerk.

Mr. LaMoure moved

That the senate do now adjourn,

Which motion prevailed, and

The senate adjourned.

R. M. TUTTLE,

Secretary.

FIFTY-SEVENTH DAY

SENATE CHAMBER
BISMARCK, NORTH DAKOTA,
March, 3, 1903.

The senate met at 2 o'clock p. m. pursuant to adjournment.

The president presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Benson, Pierce and Robinson.

Messrs. Benson and Pierce being excused.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Brown presented the following petition:

We, the undersigned voters and taxpayers of the tenth legislative district, respectfully petition the Hon. Brown, senator, and Hons. Severson, Gilbert and Heath, representatives, from the tenth legislative district, to use all honorable means to secure the passage of House Bill No. 95, known as "Civis Primary Election Bill."

A. O. GRANGUARD,
And Forty-six Others.

REFERENCE OF THE JOURNAL.

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

Mr. President:

Your committee on revision and correction of the journal of the fifty-fourth and fifty-sixth day have carefully examined the same and have no corrections to report and recommend that the same be approved.

MAYNARD CRANE,
Chairman.

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

REPORTS OF STANDING COMMITTEES.

Mr. President:

Your committee on judiciary to whom was referred
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.

Have had the same under consideration and recommend that the same be amended as follows:

That the word "December," be stricken out in line 26, section 1, of the original bill, and the words "November 15," be inserted in lieu thereof.

And when so amended recommended that the same do pass.

C. B. LITTLE,
Chairman.

Mr. Little 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. President:

Your committee on judiciary 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:

Amend Senate Bill No. 217 as follows: Strike out the words "of the date of," in line 3, section 3, and insert in lieu thereof the words "from the date of the service." Add sections 5 and 6 as follows:

Sec. 5. Supervisors to Destroy Noxious Weeds When Owners Neglect to Do So. Payment for Such Services.) Whenever any individual, firm or corporation owning or occupying land complained of under this act shall fail to comply with notice as provided in section 2, it shall be the duty of the board of township supervisors which served such notice, to

begin on the 11th day from the date of service of such notice the destruction of the noxious weeds on land complained of, and for their services in destroying such weeds, they shall receive such compensation—payable out of the county treasury upon the presentation of an itemized account thereof, verified by oath—as the board of county commissioners shall deem reasonable. And the owners or occupiers of such land shall be liable for all costs and expenses incurred in the destruction and removal of such noxious weeds, which amount may be recovered in a civil action brought in the name of the county and judgment for same enforced either by sale or as taxes on the land are collected, at the option of the court.

Sec. 6. Supervisors Neglecting Duty. Penalty.) Any township supervisor who shall, when requested, refuse to view any foul lands complained of or neglect to perform any duty required of him under the provisions of this act, shall forfeit the sum of five dollars per day for each day he so neglects such duty, to the county, to be recovered in civil action in the name of the county.

Also strike out the words "section 5" and "section 6," in original bill, and insert in lieu thereof the words "section 7" and "section 8."

And when so amended recommend that the same do pass.

C. B. LITTLE,
Chairman.

Mr. Little 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. President:

Your committee on judiciary 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 be amended as follows:

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 when so amended recommend that the same do pass.

C. B. LITTLE,
Chairman.

Mr. Butts moved

The report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on judiciary made the following report:

Mr. President:

Your committee on judiciary 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.

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.

Have had the same under consideration and recommend that the same do pass.

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.

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.

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 206,

A bill 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 do pass.

Mr. Simpson moved

That House Bill No. 206 be re-referred to the committee on judiciary.

Which motion prevailed.

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. 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.

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.

Have had the same under consideration, and recommend that the same do pass.

C. B. LITTLE,

Chairman.

The committee on apportionment made the following report:

Mr. President:

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,

Senate Bill No. 175,

A bill for an act amending sections 3003 and 3006, Revised Codes, 1899, relating to the duties of railroad commissioners and fixing their salaries.

Have had the same under consideration and recommend that the same do pass.

GEO. D. BROWN,

Chairman.

The committee on state affairs made the following report.

Mr. President:

Your committee on state affairs 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 same be amended as follows:

In line 7, of section 8, of engrossed bill, strike out the figure "10" and insert "5," in lieu thereof.

In line 4, of section 8, in place of "5,000" insert "10,000."

In line 6, of section 8, strike out "5,000" and insert "10,000," in lieu thereof.

And when so amended recommend that the same do pass.

A. B. COX,
Chairman.

Mr. Cox 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. President:

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,

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 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. 161,

A bill 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 6391 of the Revised Codes, relating to exemptions.

Have had the same under consideration and recommend that the same do pass.

A. B. COX,
Chairman.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred
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.

Have had the same under consideration and recommend that the same be 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 when so amended recommend the same do pass.

A. B. COX,
Chairman.

Mr. Cox 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 President:

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 do pass.

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.

Have had the same under consideration and recommend that the same do pass.

A. B. COX,
Chairman.

The committee on banks and banking made the following report:

Mr. President:

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.

W. H. ROBINSON,
Acting Chairman.

The committee on enrolled and engrossed bills made the following report:

Mr. President:

Your committee on enrolled and engrossed bills have examined Senate Bill No. 146,

A bill for an act requiring all telegraph companies whose business is exclusively to transmit messages by telegraph, to keep open their offices at all hours in towns of 2,000 population or over, and prescribing a penalty for the violation thereof.

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,

Senate Bill No. 205,

A bill for an act amending sections 3594 and 3595 of the Revised Codes.

And find the same correctly engrossed.

H. E. LAVAYEA,
Chairman.

The committee on enrolled and engrossed bills made the following report:

Mr. Speaker:

Your committee on enrolled and engrossed bills have examined 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. 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. 68,

A bill for an act changing the location of the institution for feeble minded from Jamestown to Grafton.

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. 114,

A bill for an act to amend chapter 179 of the session laws of 1901.

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. 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. 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.

Were delivered to the governor for his approval at the hour of 3:35 o'clock, March 3, 1903.

H. E. LAVAYEA,
Chairman.

The committee on enrolled and engrossed bills made the following report:

Mr. Speaker:

Your committee on enrolled and engrossed bills have examined 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. 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. 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. 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. 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. 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. 114,

A bill for an act to amend chapter 179 of the session laws of 1901.

And find the same correctly enrolled.

H. E. LAVAYEA,
Chairman.

REPORT OF CONFERENCE COMMITTEE.

Mr. President:

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 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. LaMoure moved

That the report be adopted.

Which motion prevailed, and

That the report be adopted.

The committee on city and municipal corporations made the following report:

Mr. President:

Your committee on city and municipal corporations 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.

J. D. BACON,
Chairman.

The committee on elections and privileges made the following report:

Mr. President:

Your committee on elections and privileges to whom was referred

Senate Bill No. 210,

A bill for an act regulating calling of elections to determine whether or not county courts shall have increased jurisdiction.

Have had the same under consideration and recommend that the same be indefinitely postponed.

HENRY HALE,
Chairman.

Mr. Hale moved

That the report be adopted.

A roll was demanded.

The roll was called and there were ayes 21, nays 14, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Gulack	McLean
Carroll	Hale	Robinson
Clarke	Jacobson	Sharpe
Cox	Johnson	Talcott
Fox	Kirkeide	Taylor
Garnett	LaMoure	Voss
Geer	Little	Wipperman

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Cashel	Lavayea	Plain
Crane	Lofthus	Regan
Devlin	Macdonald	Swenson
Hagen	Main	Williams
Herbrandson	McArthur	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Lewis	Simpson
Benson	Pierce	

Messrs. Benson and Pierce being excused.

So the report was adopted, and Senate Bill No. 210 was indefinitely postponed.

Mr. Bacon moved

That the senate do now concur in the house amendments to 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.

Which motion prevailed.

The question being upon the final passage of the bill as amended.

The roll was called and there were ayes 37, nays none, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	McLean
Brown	Herbrandson	Plain
Carroll	Jacobson	Regan
Cashel	Johnson	Robinson
Clarke	Kirkeide	Sharpe
Cox	LaMoure	Simpson
Crane	Lavayea	Swenson
Devlin	Lewis	Talcott
Fox	Little	Taylor
Garnett	Lofthus	Voss
Geer	Macdonald	Williams
Gulack	Main	Wipperman
Hagen		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	McArthur	Pierce

Messrs. Benson and Pierce being excused.

So the bill as amended passed and the title was agreed to.

Mr. Johnson moved

That the senate do now concur in the house amendments 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.

Which motion prevailed.

The question being upon the passage of Senate Bill No. 39 as amended.

The roll was called and there were ayes 36, nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hagen	Main
Brown	Hale	McLean
Carroll	Herbrandson	Plain
Cashel	Jacobson	Regan
Clarke	Johnson	Robinson
Cox	Kirkeide	Sharpe
Crane	LaMoure	Simpson
Devlin	Lavayea	Talcott
Fox	Lewis	Taylor
Garnett	Little	Voss
Geer	Lofthus	Williams
Gulack	Macdonald	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Pierce	Swenson
McArthur		

Messrs. Benson and Pierce being excused.

So the bill as amended passed, and the title was agreed to.

Mr. Lavayea moved

That the senate do now recede from the senate amendments to 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 motion prevailed.

The question being upon the final passage of the bill.

The roll was called and there were ayes 34, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hagen	Plain
Brown	Hale	Regan
Carroll	Herbrandson	Robinson
Cashel	Jacobson	Sharpe
Clarke	Johnson	Simpson
Cox	Kirkeide	Swenson
Crane	Lavayea	Talcott
Devlin	Lewis	Taylor
Fox	Macdonald	Voss
Garnett	McArthur	Williams
Geer	McLean	Wipperman
Gulack		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Little	Main
LaMoure	Lofthus	Pierce

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

INTRODUCTION AND FIRST AND SECOND READING OF SENATE BILLS.

Mr. Macdonald introduced

Senate Bill No. 235,

A bill for an act to suppress lottery schemes, gift enterprises and bribery in connection with the United States internal revenue stamps.

Which was read the first and second times, and Referred to the committee on state affairs.

Mr. Bacon moved

That the vote by which Senate Bill No. 47 passed be reconsidered.

Which motion prevailed.

Mr. Bacon moved

That the senate do now concur in the house amendments to 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 motion prevailed.

The question being on the concurrence in the house amendments.

The roll was called and there were ayes 36, nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—

Bacon
Carrroll
Cashel
Clarke
Cox
Crane
Devlin
Fox
Garnett
Geer
Gulack
Hagen

Messrs.—

Hale
Herbrandson
Jacobson
Johnson
Kirkeide
LaMoure
Lavayea
Lewis
Little
Lofthus
Macdonald
Main

Messrs.—

McArthur
McLean
Plain
Regan
Robinson
Simpson
Swenson
Talcott
Taylor
Voss
Williams
Wipperman

Absent and not voting:

Messrs.—

Benson
Brown

Messrs.—

Pierce

Messrs.—

Sharpe

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

Mr. Bacon moved to amend the bill in line 18 of the printed bill by striking out the words "gained a residence" and add in lieu thereof the words "resided ninety days."

Which motion prevailed.

The question recurring on the final passage of 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.

The roll was called and there were ayes 35, nays 1, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	McLean
Carroll	Jacobson	Plain
Cashel	Johnson	Regan
Clarke	Kirkeide	Robinson
Cox	LaMoure	Sharpe
Crane	Lavayea	Simpson
Devlin	Lewis	Swenson
Fox	Little	Talcott
Garnett	Lofthus	Taylor
Geer	Macdonald	Williams
Gulack	Main	Wipperman
Hale	McArthur	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Hagen	Pierce
Brown		

Mr. Hale voted in the negative.

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

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
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 36, nays 1, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hagen	McLean
Brown	Herbrandson	Plain
Carroll	Jacobson	Regan
Cashel	Johnson	Robinson
Clarke	Kirkeide	Sharpe
Cox	LaMoure	Simpson
Crane	Lavayea	Swenson
Devlin	Lewis	Talcott
Fox	Lofthus	Taylor
Garnett	Macdonald	Voss
Geer	Main	Williams
Gulack	McArthur	Wimperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Little	Pierce

Mr. Hale voting in the negative.

Messrs. Benson and Pierce being excused.

So the bill as amended passed and the title was agreed to.

Mr. Bacon moved

That Senate Bill No. 47 be transmitted to the house.

Which motion prevailed.

THIRD READING OF SENATE BILLS.

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 38, nays none, absent and not voting 2.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	McLean
Brown	Herbrandson	Plain
Carroll	Jacobson	Regan
Cashel	Johnson	Robinson
Clarke	Kirkelde	Sharpe
Cox	Lavayer	Simpson
Crave	LaMoure	Swenson
Devlin	Lewis	Talcott
Fox	Little	Taylor
Garnett	Lofthus	Voss
Geer	Macdonald	Williams
Gulack	Main	Wippertman
Hagen	McArthur	

Absent and not voting:

Messrs.—	Messrs.—
Benson	Pierce

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

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 36, nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hagen	McLean
Brown	Hale	Plain
Carroll	Herbrandson	Regan

Messrs.—

Cashel
Clarke
Cox
Crane
Devlin
Fox
Garnett
Geer
Gulack

Messrs.—

Jacobson
Johnson
Kirkeide
LaMoure
Lavayea
Lofthus
Macdonald
Main
McArthur

Messrs.—

Robinson
Sharpe
Simpson
Swenson
Talcott
Taylor
Voss
Williams
Wipperman

Absent and not voting:

Messrs.—

Benson
Lewis

Messrs.—

Little

Messrs.—

Pierce

Messrs Benson, Pierce and Robinson being excused.

So the bill passed and the title was agreed to.

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 third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 23, nays 9, absent and not voting 8.

Those who voted in the affirmative were:

Messrs —

Bacon
Brown
Carroll
Cashel
Crane
Fox
Garnett
Gulack

Messrs.—

Hagen
Herbrandson
Jacobson
Johnson
LaMoure
Lewis
McArthur
McLean

Messrs —

Plain
Regan
Robinson
Simpson
Swenson
Voss
Wipperman

Those who voted in the negative were:

Messrs.—

Devlin
Geer
Hale

Messrs.—

Kirkeide
Lofthus
Macdonald

Messrs.—

Sharpe
Talcott

Absent and not voting:

Messrs —

Benson
Clarke
Cox

Messrs.—

Lavayea
Little
Main

Messrs.—

Pierce
Taylor
Williams

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

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 third time.

The question being upon the final passage of the bill:

The roll was called and there were ayes 31, nays none, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Jacobson	Regan
Brown	Johnson	Robinson
Carroll	Kirkeide	Sharpe
Cashel	Lewis	Simpson
Clarke	Lofthus	Swenson
Cox	Macdonald	Talcott
Crane	Main	Taylor
Fox	McArthur	Voss
Garnett	McLean	Williams
Gulack	Plain	Wipperman
Hale		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Hagen	Lavayea
Devlin	Herbrandson	Little
Geer	LaMoure	Pierce

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

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.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 32, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	Plain
Brown	Herbrandson	Regan
Carroll	Jacobson	Robinson
Cashel	Kirkeide	Sharpe
Clarke	Lewis	Simpson
Cox	Little	Swenson
Crane	Lofthus	Talcott
Fox	Macdonald	Taylor
Garnett	Main	Voss
Geer	McArthur	Wipperman
Gulack	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Johnson	Pierce
Devlin	LaMoure	Williams
Hagen	Lavayea	

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

Mr. Regan moved that
Senate Bill No. 146,

A bill for an act requiring all telegraph companies whose business is exclusively to transmit messages by telegraph, to keep open their offices at all hours in towns of 2,000 population or over, and prescribing a penalty for the violation thereof.

Be recommitted to the committee.

Which motion prevailed.

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 32, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	McLean
Brown	Jacobson	Plain
Cashel	Kirkeide	Robinson
Clarke	LaMoure	Sharpe
Cox	Lavayea	Simpson
Crare	Lewis	Swensor
Fox	Little	Talcott
Garnett	Lofthus	Taylor
Geer	Macdonald	Voss
Gulack	Main	Wipperman
Hale	McArthur	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Hagen	Regan
Carroll	Johnson	Williams
Devlin	Pierce	

Messrs. Benson and Pierce being excused.

So the bill passed.

Mr. Lewis moved

That the title of Senate Bill No. 205 be amended by inserting after the word codes "of 1899."

Which motion prevailed, and

The title was so amended and agreed to as amended.

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 32, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Gulack	McArthur
Brown	Hale	McLean
Carroll	Herbrandson	Plain
Cashel	Jacobson	Regan
Clarke	Kirkeide	Robinson
Cox	LaMoure	Simpson
Crane	Lavayea	Swenson
Devlin	Lewis	Talcott
Fox	Little	Taylor
Garnett	Lofthus	Voss
Geer	Macdonald	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Main	Williams
Hagen	Pierce	Wipperman
Johnson	Sharpe	

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

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 30, nays 3, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Gulack	Main
Brown	Hale	McLean
Carroll	Jacobson	Plain
Cashel	Johnson	Regan
Clarke	Kirkeide	Robinson
Cox	LaMoure	Talcott
Crane	Lavayea	Taylor
Devlin	Lewis	Voss
Fox	Little	Williams
Geer	Macdonald	Wipperman

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Hagen	Herbrandson	Lofthus

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Pierce	Simpson
Garnett	Sharpe	Swenson
McArthur		

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 228,

A bill for an act creating the office of inspector general of 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 30 nays none, absent and not voting, 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hagen	McLean
Brown	Hale	Plain
Cashel	Herbrandson	Regan
Clarke	Jacobson	Robinson
Cox	Kirkeide	Sharpe
Crane	LaMoure	Simpson
Devlin	Lewis	Swenson
Fox	Macdonald	Talcott
Geer	Main	Taylor
Gulack	McArthur	Williams

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Lavayea	Pierce
Carroll	Little	Voss
Garnett	Lofthus	Wipperman
Johnson		

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

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 third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 29, nays 6, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hagen	McLean
Brown	Hale	Plain
Cashel	Herbrandson	Regan
Clarke	Johnson	Robinson
Cox	Kirkeide	Simpson
Crane	Lavayea	Swenson
Devlin	Little	Taylor
Fox	Lofthus	Voss
Geer	Main	Wipperman
Gulack	McArthur	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Garnett	Lewis	Talcott
LaMoure	Macdonald	Williams

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Jacobson	Sharpe
Carroll	Pierce	

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 232,

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 27, nays 4, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Garnett	Little
Brown	Geer	McLean
Carroll	Gulack	Regan
Cashel	Hagen	Robinson
Clarke	Hale	Sharpe
Cox	Herbrandson	Simpson
Crane	Kirkeide	Talcott
Devlin	Lavayea	Taylor
Fox	Lewis	Voss

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Macdonald	McArthur	Williams
Main		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	LaMoure	Plain
Jacobson	Lofthus	Wipperman
Johnson	Pierce	Swenson

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

THIRD READING OF HOUSE BILLS.

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 36, nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hagen	McArthur
Brown	Hale	McLean
Carroll	Herbrandson	Plain
Cashel	Jacobson	Regan
Clarke	Johnson	Robinson
Cox	Kirkeide	Sharpe
Crane	LaMoure	Simpson
Devlin	Lavayea	Swenson
Fox	Lewis	Talcott
Garnett	Lofthus	Taylor
Geer	Macdonald	Voss
Gulack	Main	Williams

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Pierce	W'pperman
Little		

Messrs. Benson and Pierce 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 36, nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hagen	McLean
Brown	Hale	Plain
Carroll	Herbrandson	Regan
Cashel	Jacobson	Robinson
Clarke	Johnson	Sharpe
Cox	Kirkeide	Simpson
Crane	Lavayea	Swenson
Devlin	Little	Talcott
Fox	Lofthus	Taylor
Garnett	Macdonald	Voss
Geer	Main	Williams
Gulack	McArthur	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Lewis	Pierce
LaMoure		

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

Mr. Hale offered the following amendment to

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.

Amend by inserting the words "in the operation of trains," after the word "company," in line 2, of printed bill.

The question being on the amendment offered.

The roll was called and there were ayes 13, nays 23, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Geer	Little
Clarke	Gulack	Robinson
Devlin	Hale	Sharpe
Fox	LaMoure	Talcott
Garnett		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Johnson	Plain
Carroll	Kirkeide	Regan
Cashel	Lewis	Simpson
Cox	Lofthus	Swenson
Crane	Macdonald	Taylor
Hagen	Main	Williams
Herbrandson	McArthur	Wipperman
Jacobson	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Pierce	Voss
Lavayea		

Messrs. Benson and Pierce being excused.

Mr. Hale offered the following amendment to

Mr. Hale offered the following amendment to 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.

Amend by adding to section 1, the words, "provided that nothing in this act shall be construed to render any railway company liable for damages sustained by any employe, agent or servant while engaged in the construction of a new road or any part thereof, or an extension of road, not open for public travel or use."

Mr. Hale moved the adoption of the amendment.

Which motion was lost.

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 23, nays 11, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Johnson	Plain
Carroll	Kirkeide	Regan
Cashel	Lewis	Simpson
Cox	Lofthus	Taylor
Crane	Macdonald	Voss
Hagen	Main	Williams
Herbrandson	McArthur	Wipperman
Jacobson	McLean	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Gulack	Robinson
Clarke	Hale	Sharpe
Fox	LaMoure	Talcott
Garnett	Little	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Geer	Pierce
Devlin	Lavayea	Swenson

Messrs. Benson and Pierce 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 32, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	Plain
Brown	Herbrandson	Robinson
Carroll	Johnson	Sharpe
Cashel	Kirkeide	Simpson
Clarke	LaMoure	Swenson
Crane	Lavayea	Talcott
Devlin	Lewis	Taylor
Fox	Little	Voss
Garnett	Lofthus	Williams
Geer	Main	Wipperman
Hagen	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Jacobson	Pierce
Cox	Macdonald	Regan
Gulack	McArthur	

Messrs. Benson and Pierce 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 31, nays none, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Herbrandson	Plain
Carroll	Jacobson	Robinson
Cashel	Kirkeide	Sharpe
Clarke	LaMoure	Simpson
Cox	Lavayea	Swenson
Crane	Little	Talcott
Fox	Macdonald	Taylor
Garnett	Main	Voss
Gulack	McArthur	Williams
Hagen	McLean	Wipperman
Hale		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Geer	Lofthus
Benson	Johnson	Pierce
Devlin	Lewis	Regan

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

Mr. Crane moved to amend

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.

By adding:

Provided, however, that all moneys received for compiling or continuation of abstracts of title, shall be turned over to the county treasurer who shall credit the same to the county general fund.

Which motion prevailed.

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 26, nays none, absent and not voting 14.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Herbrandson	Plain
Cashel	Johnson	Robinson
Clarke	Kirkeide	Simpson
Cox	LaMoure	Swenson
Crane	Lavayea	Talcott
Fox	Macdonald	Taylor
Geer	Main	Voss
Hagen	McArthur	Wipperman
Hale	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Gulack	Pierce
Benson	Jacobson	Regan
Carroll	Lewis	Sharpe
Devlin	Little	Williams
Garnett	Lofthus	

Messrs. Benson and Pierce being excused.

So the bill passed as amended and the title was agreed to.

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 25, nays none, absent and not voting 15.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Hale	McArthur
Cashel	Herbrandson	McLean
Clarke	Johnson	Plain
Cox	Kirkeide	Robinson
Crane	Lavayea	Swenson
Fox	Lofthus	Talcott
Geer	Macdonald	Taylor
Gulack	Main	Voss
Hagen		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Jacobson	Regan
Benson	LaMoure	Sharpe
Carroll	Lewis	Simpson
Devlin	Little	Williams
Garnett	Pierce	Wipperman

Messrs. Benson and Pierce 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 30, nays none, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Johnson	McLean
Cashel	Kirkeide	Plain
Clarke	LaMoure	Regan
Cox	Lavayea	Robinson
Crane	Lewis	Sharpe
Fox	Little	Swenson
Geer	Lofthus	Talcott
Gulack	Macdonald	Taylor
Hale	Main	Voss
Herbrandson	McArthur	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Garnett	Pierce
Benson	Hagen	Simpson
Carroll	Jacobson	Williams
Devlin		

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed 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.

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 7, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Hagen	Macdonald
Clarke	Hale	McLean
Cox	Herbrandson	Regan
Crane	Johnson	Robinson
Devlin	LaMoure	Sharpe
Fox	Lavayea	Talcott
Geer	Lewis	Taylor
Gulack	Little	Voss

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Kirkeide	McArthur	Swenson
Lofthus	Plain	Wipperman
Main		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Cashel	Pierce
Benson	Garnett	Simpson
Carroll	Jacobson	Williams

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

FIRST AND SECOND 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 first and second times, and
Referred to the committee on judiciary.

House Bill No. 277,

Concurrent resolution. Proposed constitutional amendment,
Was read the first and second times, and
Referred to the committee on judiciary.

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 first and second times, and
Referred to the committee on banks and banking.

MESSAGE FROM THE GOVERNOR

The following communication was received from the governor:

EXECUTIVE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 3, 1903.

To the Senate:

Mr. President:

I have the honor to inform you that I have approved and filed with the honorable secretary of state

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.

I have the honor to be,

Very respectfully,

FRANK WHITE,
Governor.

The secretary announced that Mr. President was about to sign 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. 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. 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 aDkota, 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. 35,

A bill for an act establishing the Eighth judicial district and defining the boundaries thereof, and terms of court therein, and providing for the appointment and election of a judge therefor.

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. 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. 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. 114,

A bill for an act to amend chapter 179 of the session laws of 1901.

Also,

House Bill No. 73,

A concurrent resolution relating to name of school for deaf and dumb.

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 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.

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,

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. 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.

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. 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. 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. 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. 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. 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. 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.

And the same were signed in the presence of the senate.

Mr. Little moved

That all senate and house bills be transmitted to the house as passed.

Which motion prevailed.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 26, 1903.

Mr. President:

I have the honor to transmit 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.

Also,

House Bill No. 277,

A bill for an act providing for an amendment to section 82 of the constitution, omitting commissioners of railroads.

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."

Which the house has passed and your favorable consideration is requested.

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.

Which the house has amended by adding the emergency clause.

Whereas, an emergency exists in that assessment must be made prior to July 1st, therefore this act shall take effect and be in force from and after its passage and approval.

Also, in lines 15 and 17, 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."

Mr. President:

I have the honor to transmit

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. 111,

A bill for an act providing for sending non-resident insane persons to their place of residence at expense of the state.

Which the house has passed unchanged.

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.

Which the house has amended by adding section 17—an emergency clause—which clause is attached to the bill and your concurrence therein is requested.

Respectfully,

A. O. ANDERSON,

Chief Clerk.

Courtesies of the floor were extended to J. D. Bell, C. J. Lord, J. S. Murphy, W. H. Denny, B. F. Chapman, N. R. Olsen, E. B. Cox, W. W. Nicholas, V. R. Lovell.

Mr. Little moved
That the senate do now adjourn.
Which motion prevailed, and
The senate adjourned.

R. M. TUTTLE.

Secretary.

FIFTY-EIGHTH DAY

SENATE CHAMBER
BISMARCK, NORTH DAKOTA,
March, 4, 1903.

The senate met at 2 o'clock p. m. pursuant to adjournment.

The president presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Benson and Pierce
Messrs. Benson and Pierce being excused.

REPORTS OF STANDING COMMITTEES.

The committee on judiciary made the following report:

Mr. President:

Your committee on judiciary 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:

In line 7, of section 1, of the 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 when so amended recommend that the same do pass.

C. B. LITTLE,
Chairman.

Mr. Little 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. President:

Your committee on judiciary to whom was referred

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,

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.

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.

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 206,

A bill 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 indefinitely postponed.

C. B. LITTLE,
Chairman.

Mr. Little moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on temperance made the following report.

Mr. President:

I am directed by the committee on temperance to make the following report:

Senate Bill No. 221,

A bill for an act amending section 7594 of the Revised Codes of North Dakota of 1899, relating to druggist's permits.

That the same is returned without recommendation.

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 recommend that said bill be amended by adding the words "and druggists's sundries," after the word "drugs," in line 14, of page 2, of the engrossed bill.

And when so amended recommend that the same do pass.

JUDSON LaMOURE,

Chairman.

Mr. LaMoure 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. President:

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.

W. H. ROBINSON,

Acting Chairman.

The committee on appropriations made the following report:

Mr. President:

I am directed by the senate committee on appropriations to make the following report:

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 effi-

ciency and growth thereof and for the holding of an annual tournament.

That the same do pass.

Also.

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.

That the same do pass.

Also,

House Bill No. 142,

A bill for an act regulating the handling of gasoline.

That the same be amended as follows:

By striking out all after the enacting clause and insert 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 1st, 1903, the sum of one thousand dollars and on July 1st, 1904, the remaining sum of one thousand dollars hereby appropriated.

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.

That the same be 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 "\$20,700," in line 10, of said page, of the engrossed bill, be made to read "\$20,200."

And when so amended that the same do pass.

JUDSON LaMOURE,
Chairman.

Mr. LaMoure 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. President:

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 report the same back without recommendation.

JUDSON LaMOURE,
Chairman.

Mr. Hale moved

That the vote by which
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 indefinitely postponed be reconsidered.

Which motion prevailed.

MESSAGE FROM THE HOUSE.

Mr. President:

I have the honor to inform the senate that the house has requested the return of Senate Bill No. 112, relating to admission of attorneys on certificates from other states.

Also,

Mr. President:

I have the honor to transmit herewith
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 the house has passed and your favorable consideration thereof is respectfully requested.

A. O. ANDERSON,
Chief Clerk.

Mr. President:

I have the honor to transmit herewith
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.

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. 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. 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. 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,

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. 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. 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. 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. 29,

A bill for an act authorizing the appointment of commissioners of deeds and declaring an emergency to exist.

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 and re-enact sections 2355 and 2358 of the Revised Codes of North Dakota for the year A. D. 1899.

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. 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. 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. 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.

Which the house has passed without change.

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.

Which the house has amended as follows:

In line 30 of printed bill after the word "hours" insert the words "or 3 days if outside of incorporate limits of cities, towns and villages, as to births and deaths only."

Insert same amendment in lines 35 and 44 after the word "hours."

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.

Which the house has 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."

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 house has amended as follows:

In line 3, before the word "there" insert "section 59."

Also,

Senate Bill No. 60,

Abill 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, relating to education.

Which the house has 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," 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 your concurrence therein is requested.

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.

Which the house has passed unchanged.

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 house has passed as amended by the senate.

A. O. ANDERSON,

Chief Clerk.

MOTIONS AND RESOLUTIONS.

Mr. Devlin offered the following resolution:

Resolved, That the messenger and postmaster of the senate be each allowed the sum of thirty dollars (\$30) as provided in chapter 27, of the session laws of 1897.

Mr. Devlin moved the adoption of the resolution

Which motion prevailed.

Mr. Crane moved

That the senate do now concur in the house amendments 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.

Which motion prevailed.

The question being on the passage of the bill as amended.

The roll was called and there were ayes 33, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—

Brown
Carroll
Cashel
Clarke
Cox
Crane
Devlin
Fox
Garnett
Geer
Gulack

Messrs.—

Hagen
Herbrandson
Johnson
Kirkeide
LaMoure
Lavayea
Little
Lofthus
Macdonald
Main
McArthur

Messrs.—

McLean
Plain
Regan
Robinson
Sharpe
Swenson
Talcott
Taylor
Voss
Williams
Wipperman

Absent and not voting:

Messrs.—

Bacon
Benson
Hale

Messrs.—

Jacobson
Lewis

Messrs.—

Pierce
Simpson

Messrs. Benson and Pierce being excused.

So the bill as amended passed and the title was agreed to.

Mr. Main moved

That the senate do now concur in the house amendments 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.

Which motion prevailed.

The question being on the passage of the bill as amended.

The roll was called and there were ayes 34 nays none, absent and not voting, 6.

Those who voted in the affirmative were:

Messrs.—

Brown
Cashel
Clarke
Cox
Crane
Devlin
Fox
Garnett
Geer
Gulack
Hagen
Hale

Messrs.—

Herbrandson
Johnson
Kirkeide
LaMoure
Lavayea
Lewis
Little
Lofthus
Macdonald
Main
McArthur

Messrs.—

McLean
Plain
Regan
Robinson
Sharpe
Swenson
Talcott
Taylor
Voss
Williams
Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Carrall	Pierce
Benson	Jacobson	Simpson

Messrs. Benson and Pierce being excused.

So the bill as amended passed and the title was agreed to.

Mr. Taylor moved

That the senate do now concur in the house amendments 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.

Which motion prevailed.

The question being upon the final passage of the bill as amended.

The roll was called and there were ayes 33, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs —	Messrs —
Bacon	Johnson	Plain
Brown	Kirkelac	Regan
Cashel	LaMoure	Robinson
Clarke	Lavayer	Sharpe
Cox	Lewis	Simpson
Crane	Little	Swenson
Fox	Lofthus	Talcott
Garnett	Macdonald	Taylor
Geer	Main	Voss
Hafen	McArthur	Willhans
Herbrandson	McLeal	Wipperman

Absent and not voting:

Messrs.—	Messrs —	Messrs —
Benson	Gulack	Jacobson
Carrall	Hale	Pierce
Devlin		

Messrs. Benson and Pierce being excused.

So the bill as amended passed and the title was agreed to.

INTRODUCTION AND FIRST AND SECOND READING
OF SENATE BILLS.

Mr. Cox introduced

Senate Bill No. 236,

A bill for an act to provide for the adoption of a minor child under certain specified conditions.

Mr. Cox moved

That all Senate Bills have their second reading and reference.
Which motion prevailed.

Senate Bill No. 236,

A bill for an act to provide for the adoption of a minor child under certain specified conditions.

Which was read the first and second times, and
Referred to steering committee.

THIRD 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.

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 none, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hagen	Regan
Brown	Hale	Robinson
Cashel	Herbrandson	Sharpe
Clarke	Kirkelde	Simpson
Cox	Lavaye	Talcott
Crane	Lewis	Taylor
Devlin	Lofthus	Voss
Garnett	Macdonald	Williams
Geer	McLean	W'pperman
Gulack	Plain	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Johnson	McArthur
Carroll	LaMoure	Pierce
Fox	Little	Swenson
Jacobson	Main	

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

The secretary announced that the president was about to sign 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. 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. 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. 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.

And the same were signed in the presence of the senate.

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.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 32, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—

Bacon
Brown
Carroll
Cashel
Clarke
Cox
Crane
Devlin
Garnett
Geer
Gulack

Messrs.—

Hagen
Hale
Herbrandson
Jacobson
Johnson
Kirkeide
LaMoure
Lavayea
Little
Lofthus
Macdonald

Messrs.—

Main
McLean
Plain
Regan
Robinson
Simpson
Talcott
Taylor
Voss
Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	McArthur	Swenson
Fox	Pierce	Williams
Lewis	Sharpe	

Messrs. Benson and Pierce being excused.

So the bill passed.

Mr. Crane moved to amend the title to Senate Bill No. 233 by striking out the word "auditor" where it appears and insert the word "treasurer" in lieu thereof.

Which motion prevailed, and
The title was agreed to as amended.

Mr. Little moved

That all senate and house bills passed today be transmitted to the house.

Which motion prevailed.

Mr. Lewis moved

That the senate do now concur in the house amendments 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.

Which motion prevailed.

The question being on the passage of the bill as amended

The roll was called and there were ayes 29, nays none, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	McLean
Brown	Herbrandson	Plain
Carroll	Jacobson	Regan
Cox	Kirkeide	Robinson
Crane	LaMoure	Swenson
Devlin	Lavayea	Talcott
Garnett	Lewis	Taylor
Geer	Little	Williams
Gulack	Lofthus	Wipperman
Hagen	Macdonald	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Johnson	Sharpe
Cashel	Main	Simpson
Clarke	McArthur	Voss
Fox	Pierce	

Messrs. Benson and Pierce being excused.

So the bill as amended passed, and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the house:

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 4, 1903.

Mr. President:

I have the honor to inform the senate that the house has requested the return of Senate Bill No. 100 for amendment by striking out the emergency clause.

A. O. ANDERSON,
Chief Clerk.

Mr. Plain moved

That Senate Bill No. 100 be returned to the house as per request of the house.

Which motion prevailed.

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 34, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Jacobson	McLean
Carroll	Johnson	Plain
Cashel	Kirkeide	Robinson
Cox	LaMoure	Sharpe
Crane	Lavayea	Simpson
Devlin	Lewis	Swenson
Garnett	Little	Talcott
Geer	Lofthus	Taylor
Gulack	Macdonald	Voss
Hagen	Main	Williams
Hala	McArthur	Wiperman
Herbrandson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Clarke	Pierce
Brown	Fox	Regan

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

House Bill No. 195,

A bill for an act to define vagrancy, and prescribing punishment for vagrancy.

The roll was called and there were ayes 32, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hagen	McLean
Brown	Hale	Plain
Carroll	Herbrandson	Robinson
Cashel	Jacobson	Simpson
Cox	Johnson	Swenson
Crane	Kirkeide	Talcott
Devlin	LaMoure	Taylor
Fox	Lavayea	Voss
Garnett	Lewis	Williams
Geer	Lofthus	Wipperman
Gulack	Main	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Macdonald	Regan
Clarke	McArthur	Sharpe
Little	Pierce	

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 4, 1903.

Mr. President:

I have the honor to transmit herewith 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 house as amended in its title by inserting the words "and providing penalties for the violation of this act." and your concurrence therein is requested.

A. O. ANDERSON,
Chief Clerk.

Mr. Taylor moved

That the senate do now concur in house amendments 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.

Which motion prevailed.

The question being on the passage of the bill as amended

The roll was called and there were ayes 34, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	McLean
Brown	Jacobson	Plain
Carroll	Johnson	Regan
Cashel	Kirkeide	Robinson
Cox	LaMoure	Sharpe
Crane	Lavayea	Simpson
Devlin	Lewis	Swenson
Fox	Lofthus	Taylor
Garnett	Macdonald	Voss
Geer	Main	Williams
Gulack	McArthur	Wipperman
Hagen		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Hale	Talcott
Clarke	Little	Pierce

Messrs. Benson and Pierce being excused.

So the bill as amended passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 4, 1903.

Mr. President:

I have the honor to transmit herewith

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 the house has passed and your favorable consideration thereof is respectfully requested.

A. O. ANDERSON,
Chief Clerk.

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 37, nays none, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	McArthur
Brown	Herbrandson	McLean
Carroll	Jacobson	Plain
Cashel	Johnson	Regan
Clarke	Kirkeide	Robinson
Cox	LaMoure	Sharpe
Crane	Lavayea	Simpson
Devlin	Lewis	Swenson
Fox	Little	Talcott
Garnett	Lofthus	Taylor
Geer	Macdonald	Voss
Gulack	Main	Wipperman
Hagen		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Pierce	Williams

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

The secretary announced that the president 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.

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. 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. 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. 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. 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.

And the same were signed in the presence of the senate.

MESSAGE FROM THE HOUSE.

The following message was received from the house:

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 4, 1903.

Mr. President:

I have the honor to transmit herewith
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. 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.

Which the house has passed unchanged:

A. O. ANDERSON,
Chief Clerk.

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:

The roll was called and there were ayes 32, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Carroll	Johnson	Regan
Cashel	Kirkelde	Robinson
Clarke	LaMoure	Sharpe
Crane	Lavayea	Simpson
Devlin	Little	Swenson
Garnett	Lofthus	falcott
Geer	Macdonald	Taylor
Gulack	McArthur	Voss
Hagen	McLean	Williams
Hale	Main	Wipperman
Herbrandson	Plain	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Cox	Lewis
Benson	Fox	Pierce
Brown	Jacobson	

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

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 30, nays 2, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Herbrandson	McLean
Cashel	Johnson	Plain
Clarke	Kirkeide	Regan
Cox	LaMoure	Robinson
Crane	Lavayea	Sharpe
Garnett	Lewis	Simpson
Geer	Little	Swenson
Gulack	Lofthus	Talcott
Hagen	Macdonald	Taylor
Hale	McArthur	Williams

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Fox	Pierce
Benson	Jacobson	Wipperman
Carroll	Main	

Messrs. Devlin and Voss voted in the negative.

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

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 33, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hagen	McLean
Brown	Hale	Plain
Carroll	Herbrandson	Regan
Cashel	Jacobson	Robinson
Clarke	Johnson	Sharpe
Cox	LaMoure	Simpson
Crane	Lavayea	Talcott
Fox	Lewis	Taylor
Garnett	Little	Voss
Geer	Macdonald	Williams
Gulack	McArthur	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Lofthus	Pierce
Devlin	Main	Swenson
Kirkeide		

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

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 35, nays none, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	Plain
Brown	Herbrandson	Regan
Carroll	Jacobson	Robinson
Cashel	Johnson	Sharpe
Clarke	Kirkelde	Simpson
Cox	Lavayea	Swenson
Crane	Lewis	Talcott
Devlin	Little	Taylor
Fox	Macdonald	Voss
Geer	Main	Williams
Gulack	McArthur	Wipperman
Hagen	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	LaMoure	Pierce
Garnett	Lofthus	

Messrs. Benson and Pierce 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 35, nays none, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Carroll	Jacobson	Plain
Cashel	Johnson	Regan
Cox	Kirkeide	Robinson
Crane	LaMoure	Sharpe
Devlin	Lavayea	Simpson
Fox	Lewis	Swenson
Garnett	Little	Talcott
Geer	Lofthus	Taylor
Gulack	Macdonald	Voss
Hagen	Main	Williams
Hale	McArthur	Wipperman
Herbrandson	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Brown	Pierce
Benson	Clarke	

Messrs. Benson and Pierce being excused.

So the bill as amended passed and the title was agreed to.

Mr. Little moved

That all house bills have their first and second reading and reference.

Which motion prevailed.

FIRST AND SECOND READING OF HOUSE BILLS.

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 first and second times, and
Referred to the committee on judiciary.

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 first and second times, and
Referred to the committee on judiciary.

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 first and second times, and
Referred to the committee on judiciary.

The secretary announced that the president was about to sign

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. 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. 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. 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. 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. 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. 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. 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. 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,

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. 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.

And the president signed the same in the presence of the senate.

The committee on enrolled and engrossed bills made the following report:

Mr. President:

Your committee on enrolled and engrossed bills have examined 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. 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. 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. 112,

A bill for an act amending section 424 of the Revised Codes of 1899, relating to admission of attorneys on certificates from And find the same correctly enrolled.

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.

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 deposit. State auditor's duties.

Also,

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.

And find the same correctly engrossed.

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. 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. 106,

A bill for an act for the creation of corporations for the purpose of establishing and maintaining creameries.

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. 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.

Were delivered to the governor for his approval at the hour of 3 o'clock, March 4, 1903.

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. 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. 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. 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. 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. 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. 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. 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.

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 grant-

ing 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,

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 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. 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.

And find the same correctly enrolled.

H. E. LAVAYEA,

Chairman.

The courtesies of the floor were extended to J. L. Potts, A. Brodtkorb, A. J. Brodtkorb, Frank Rasmussen, Geo. Bidwell, Henry Henry, W. J. Westergard, F. A. Thorkelson.

Mr. Robinson moved

That the senate do now adjourn.

Which motion prevailed, and

The senate adjourned.

R. M. TUTTLE,

Secretary.

FIFTY-NINTH DAY

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 5, 1903.

The senate met at 2 o'clock p. m., pursuant to adjournment.

The president presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Benson, Pierce and Simpson.

Messrs. Benson, Pierce and Simpson being excused.

The secretary announced that the president 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. 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. 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. 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. 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. 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. 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. 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. 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 same were signed in the presence of the senate.

REPORTS OF STANDING COMMITTEES.

The committee on enrolled and engrossed bills made the following report:

Mr. President:

Your Committee on enrolled and engrossed bills have examined:

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. 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. 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. 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. 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. 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. 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. 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.

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.

And find the same correctly enrolled.

H. E. LAVAYEA,
Chairman.

The committee on state affairs made the following report:

Mr. President:

Your committee on state affairs 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 do pass.

A. B. COX,
Chairman.

The committee on judiciary made the following report:

Mr. President:

Your committee on judiciary 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 be amended as follows:

In line 12, of the original bill in section 1, strike out the word "five," insert in lieu thereof, the word "twenty-five."

In section 1, line 13, of the original bill, strike out the word "one," and and also insert in lieu thereof, the word "two."

And when so amended recommend the same do pass.

C. B. LITTLE,
Chairman.

Mr. Little 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. President:

Your committee on judiciary to whom was referred
House Bill No. 118,

A bill for an act defining legal fences, providing for the con-

struction 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 be amended as follows:

Strike out the word "double," wherever it occurs in the bill.

And when so amended recommend that the same do pass.

C. B. LITTLE,
Chairman.

Mr. Little 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. President:

Your committee on judiciary 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. B. LITTLE,
Chairman.

The committee on judiciary made the following report:

Mr. President:

Your committee on judiciary 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 be indefinitely postponed.

C. B. LITTLE,
Chairman.

Mr. Little 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. President:

Your committee on judiciary to whom was referred

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.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out the words "or unpaid," wherever they occur in the bill.

And when so amended recommend that the same do pass.

C. B. LITTLE,
Chairman.

Mr. Little 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. President:

Your committee on judiciary to whom was referred

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 be indefinitely postponed.

C. B. LITTLE,
Chairman.

Mr. Little moved

That the report be adopted.

Roll call demanded.

The roll was called and there were ayes 20, nays 15, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Gulack	Robinson
Brown	LaMoure	Sharpe
Carroll	Lavayer	Talcott
Cox	Lewis	Taylor
Fox	Little	Voss
Garnett	McLean	Wipperman
Geer	Plain	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Crane	Jacobson	Main
Devlin	Johnson	McArthur
Hagen	Kirkeide	Regan
Hale	Lofthus	Swenson
Herbrandson	Macdonald	Williams

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Clarke	Simpson
Cashel	Pierce	

Messrs. Benson, Pierce and Simpson, being excused.

So the motion to indefinitely postpone prevailed.

The committee on judiciary made the following report:

Mr. President:

Your committee on judiciary to whom was referred
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,

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 do pass.

C. B. LITTLE,
Chairman.

The committee on judiciary made the following report:

Mr. President:

Your committee on judiciary to whom was referred
House Bill No. 79,

A bill for an act concerning land titles.

Have had the same under consideration and recommend that the same do not pass.

C. B. LITTLE,
Chairman.

The committee on judiciary made the following report:

Mr. President:

Your committee on judiciary 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 be indefinitely postponed.

C. B. LITTLE,
Chairman.

Mr. Little moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

MOTIONS AND RESOLUTIONS.

Mr. Lavayea presented the following resolution:

Resolved, that the president be requested to appoint one member of the senate, and the secretary of the senate, together with one assistant, to correct the journal of the sixtieth day, and compare the journal of the session with the written journal, and that they be each allowed \$6 per day for the time necessary to do the work.

The president and secretary of the senate are hereby authorized and directed to sign the necessary vouchers for the service.

Mr. Lavayea moved
That the resolution be adopted.
Which motion prevailed, and
The resolution was adopted.

Mr. Lavayea offered the following resolution:

Whereas, that in view of the fact that the eighth legislative assembly will have adjourned before the house and senate journals shall have been printed; therefore be it

Resolved, That the secretary of state be requested to mail to each member of the senate at his home address, one copy each of the journals of the sixtieth day; and also to send a list of titles of all acts passed at this session which finally become laws, and also a list of vetoed bills, if any.

Mr. Lavayea moved
That the resolution be adopted.
Which motion prevailed, and
The resolution was adopted.

Mr. Voss offered the following resolution:

Resolved, That the assistant postmaster of the senate be allowed the sum of \$15 for hack hire.

Mr. Voss moved
That the resolution be adopted.
Which motion prevailed, and
The resolution was adopted.

Mr. Plain moved
That the senate do now concur in the house amendments 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.

Which motion prevailed.

The question being on the final passage of the bill as amended.

The roll was called and there were ayes 35, nays none, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Hale	Messrs.—	McLean
Bacon	Herbrandson	Messrs.—	Plain
Carroll	Jacobson	Messrs.—	Regan
Cashel	Johnson	Messrs.—	Robinson
Clarke	LaMoure	Messrs.—	Sharp
Cox	Lavaea	Messrs.—	Swenson
Crape	Lewis	Messrs.—	Talcott
Devlin	Little	Messrs.—	Taylor
Fox	Lothius	Messrs.—	Williams
Garnett	Macdonald	Messrs.—	Wipperman
Geer	Main	Messrs.—	
Gulack	McArthur	Messrs.—	
Hagen		Messrs.—	

Absent and not voting:

Messrs. Benson, Pierce and Simpson being excused. So the bill as amended passed and the title was agreed to.

Mr. LaMoure moved

That the senate do now concur in the house amendments to

Senate Bill No. 120,

A bill for an act fixing the salaries and providing for the payment of the state of North Dakota.

Which motion prevailed.

The question being on the passage of the bill as amended.

The roll was called and there were ayes 31 nays none, absent and not voting, 9.

Those who voted in the affirmative were:

Messrs.—	Hale	Messrs.—	McLean
Bacon	Herbrandson	Messrs.—	Plain
Carroll	Jacobson	Messrs.—	Regan
Cashel	Johnson	Messrs.—	Robinson
Cox	LaMoure	Messrs.—	Swenson
Crape	Lavaea	Messrs.—	Talcott
Devlin	Lewis	Messrs.—	Taylor
Fox	Little	Messrs.—	Williams
Garnett	Macdonald	Messrs.—	Wipperman
Geer	Main	Messrs.—	
Gulack	McArthur	Messrs.—	
Hagen		Messrs.—	

Absent and not voting:

Messrs. Benson, Pierce and Simpson being excused. So the bill as amended passed and the title was agreed to.

Mr. Devlin moved

That the senate do now concur in the house amendments to
Which motion prevailed.

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.

The question being on the passage of the bill as amended.

The roll was called and there were ayes 33, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—

Bacon
Brown
Carroll
Cashel
Clarke
Cox
Crane
Devlin
Garnett
Geer
Gulack

Messrs.—

Hagen
Hale
Herbrandson
Jacobson
LaMoure
Lavayea
Lewis
Little
Lofthus
Macdonald
Main

Messrs.—

McArthur
McLean
Plain
Regan
Robinson
Swenson
Talcott
Taylor
Voss
Williams
Wipperman

Absent and not voting:

Messrs.—

Benson
Fox
Johnson

Messrs.—

Kirkeide
Pierce

Messrs.—

Sharpe
Simpson

Messrs. Benson, Pierce and Simpson being excused.

So the bill as amended passed and the title was agreed to.

Mr. LaMoure moved

That the senate do now concur in the house amendments to
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.

Which motion prevailed.

The question being on the passage of the bill as amended.

The roll was called and there were ayes 33, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—

Bacon
Brown
Cashel
Clarke

Messrs.—

Hagen
Hale
Herbrandson
Jacobson

Messrs.—

Main
Plain
Regan
Robinson

Messrs.—
Cox
Crane
Devlin
Fox
Garnett
Geer
Gulack

Messrs.—
Johnson
Kirkeide
LaMoure
Lavayea
Little
Lofthus
Macdonald

Messrs.—
Sharpe
Swenson
Talcott
Taylor
Voss
Williams
Wipperman

Absent and not voting:

Messrs.—
Benson
Carroll
Lewis

Messrs.—
McArthur
McLean

Messrs.—
Pierce
Simpson

Messrs. Benson, Pierce and Simpson being excused.

So the bill as amended passed and the title was agreed to.

Mr. Little moved

That the senate do now concur in the house amendments to
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.

Which motion prevailed.

The question being on the passage of the bill as amended.

The roll was called and there were ayes 37, nays none, absent and
not voting 3.

Those who voted in the affirmative were:

Messrs.—
Bacon
Brown
Carroll
Cashel
Clarke
Cox
Crane
Devlin
Fox
Garnett
Geer
Gulack
Hagen

Messrs.—
Hale
Herbrandson
Jacobson
Johnson
Kirkeide
LaMoure
Lavayea
Lewis
Little
Lofthus
Macdonald
Main

Messrs.—
McArthur
McLean
Plain
Regan
Robinson
Sharpe
Swenson
Talcott
Taylor
Voss
Williams
Wipperman

Absent and not voting:

Messrs.—
Benson

Messrs.—
Pierce

Messrs.—
Simpson

Messrs. Benson, Pierce and Simpson being excused.

So the bill as amended passed and the title was agreed to.

Mr. Little moved

That the senate do now concur in the house amendments 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.

Which motion prevailed.

The question being on the passage of the bill as amended.

The roll was called and there were ayes 37, nays none, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	McArthur
Brown	Herbrandson	McLean
Carroll	Jacobson	Plain
Cashel	Johnson	Regan
Clarke	Kirkeide	Robinson
Cox	LaMoure	Sharpe
Crane	Lavayea	Swenson
Devlin	Little	Talcott
Fox	Lewis	Taylor
Garnett	Lofthus	Voss
Geer	Macdonald	Williams
Gulack	Main	Wipperman
Hagen		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Pierce	Simpson

Messrs. Benson, Pierce and Simpson being excused.

So the bill as amended passed, and the title was agreed to.

MESSAGE FROM THE HOUSE.

Mr. President:

I have the honor to inform the senate that the house has passed 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, and your concurrence therein is requested.

Respectfully
A. O. ANDERSON,
Chief Clerk.

Senate Bill No. 236,

A bill for an act to provide for the adoption of a minor child under 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 32, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Gulack	McArthur
Brown	Hagen	McLean
Carroll	Hale	Plain

Messrs.—	Messrs.—	Messrs.—
Cashel	Herbrandson	Regan
Clarke	Johnson	Robinson
Cox	Kirkeide	Sharpe
Crane	Lavaya	Swenson
Devlin	Lewis	Taylor
Fox	Lofthus	Voss
Garnett	Macdonald	Williams
Geer	Main	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Little	Talcott
Jacobson	Pierce	Wipperman
LaMoure	Simpson	

Messrs. Benson and Pierce 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 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 26, nays 2, absent and not voting 14.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Hale	McLean
Cashel	Herbrandson	Plain
Crane	Johnson	Regan
Devlin	Kirkeide	Robinson
Fox	Lewis	Sharpe
Garnett	Lofthus	Swenson
Geer	Macdonald	Voss
Gulack	Main	Williams
Hagen	McArthur	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Cox	Little
Benson	Jacobson	Pierce
Carroll	LaMoure	Simpson
Clarke	Lavaya	Talcott

Messrs. Taylor and Wipperman being voted in the negative.

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

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.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 32, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Herbrandson	Plain
Carroll	Johnson	Regan
Clarke	Kirkeide	Robinson
Crane	Lavayea	Sharpe
Devlin	Lewis	Swenson
Fox	Little	Talcott
Garnett	Lofthus	Taylor
Geer	Macdonald	Voss
Gulack	Main	Williams
Hagen	McArthur	Wipperman
Hale	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Cox	Pierce
Benson	Jacobson	Simpson
Cashel	LaMoure	

Messrs. Benson, Pierce and Simpson being excused.

So the bill passed and the title was agreed 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.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 32, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Hale	Plain
Cashel	Herbrandson	Regan
Clarke	Jacobson	Robinson
Cox	Kirkeide	Sharpe
Crane	LaMoure	Swenson
Devlin	Lavayea	Talcott
Fox	Little	Taylor
Garnett	Macdonald	Voss
Geer	Main	Williams
Gulack	McArthur	Wipperman
Hagen	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Johnson	Pierce
Benson	Lewis	Simpson
Carroll	Lofthus	

Messrs. Benson, Pierce and Simpson being excused.

So the bill passed and the title was agreed to.

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 31, nays none, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	Plain
Brown	Jacobson	Regan
Clarke	Johnson	Robinson
Cox	Kirkeide	Sharpe
Crane	LaMoure	Swenson
Devlin	Lavayea	Talcott
Fox	Lewis	Taylor
Garnett	Little	Voss
Geer	Main	Williams
Gulack	Macdonald	Wipperman
Hale		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Hagen	McLean
Cashel	Lofthus	Pierce
Carroll	McArthur	Simpson

Messrs. Benson, Pierce and Simpson being excused.

So the bill passed and the title was agreed to.

Mr. Crane moved

That all senate and house bills be transmitted to the house as passed.

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 31, nays none, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hagen	McLean
Brown	Hale	Plain
Cashel	Herbrandson	Regan
Clarke	Johnson	Robinson
Cox	Kirkeide	Swenson
Crane	LaMoure	Talcott

Messrs.—
 Devlin
 Fox
 Garnett
 Geer
 Gulack

Messrs.—
 Lofthus
 Macdonald
 Main
 McArthur

Messrs.—
 Taylor
 Voss
 Williams
 Wipperman

Absent and not voting:

Messrs.—
 Benson
 Carroll
 Jacobson

Messrs.—
 Lavayea
 Lewis
 Little

Messrs.—
 Pierce
 Sharpe
 Simpson

Messrs. Benson, Pierce and Simpson being excused.
 So the bill passed and the title was agreed to.

Mr. Hale moved

That further consideration of
 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 indefinitely postponed.

Which motion prevailed, and

The bill was indefinitely postponed.

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 28, nays none, absent and not voting 12.

Those who voted in the affirmative were:

Messrs.—
 Cashel
 Clarke
 Cox
 Crane
 Devlin
 Garnett
 Geer
 Gulack
 Hale
 Herbrandson

Messrs.—
 Jacobson
 Johnson
 Kirkeide
 LaMoure
 Lofthus
 Macdonald
 Main
 McArthur
 McLean

Messrs.—
 Plain
 Regan
 Robinson
 Sharpe
 Swenson
 Talcott
 Voss
 Williams
 Wipperman

Absent and not voting:

Messrs.—
 Bacon
 Benson
 Brown
 Carroll

Messrs.—
 Fox
 Hagen
 Lavayea
 Lewis

Messrs.—
 Little
 Pierce
 Simpson
 Taylor

Messrs. Benson, Pierce and Simpson being excused.
 So the bill passed and the title was agreed 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.

Was read the third time.

The following amendments were offered by Mr. Regan.

On line 17 of section 1 of the printed bill strike out the word "eighty" and insert the word "sixty."

On line 19 of section 1 of the printed bill strike out the word "eighty" and insert the word "fifty."

On line 53 of section 1 strike out the words "one thousand" and insert "five hundred."

On line 43 of section 2 strike out the word "half."

On line 112 of section 2 strike out all after the word "year." Strike out all of lines 114, 115, 116 and on line 117 strike out all except the words "every such druggist shall."

Which amendments were lost.

The question being upon the final passage of the bill.

The roll was called and there were ayes 23, nays 9, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	McLean
Brown	Jacobson	Plain
Crane	Johnson	Robinson
Devlin	Kirkeide	Swenson
Fox	LaMoure	Talcott
Garnett	Lavayea	Taylor
Hagen	Lewis	Williams
Halc	McArthur	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Cashel	Gulack	Sharpe
Cox	Lofthus	Voss
Geer	Regan	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Little	Pierce
Carroll	Macdonald	Simpson
Clarke	Main	

Messrs. Benson, Pierce and Simpson being excused.

So the bill passed and the title was agreed to.

EXECUTIVE SESSION.

The senate went into executive session.

The following nominations of the governor were confirmed:

SUPERINTENDENT OF STATE BOARD OF HEALTH.

As superintendent of the state board of health—H. H. Healy of Grand Forks county, for a term of two years from the first Tuesday in April, 1903.

STATE OIL INSPECTOR.

As state oil inspector—L. W. Schruth of Cass county, for a term of two years from the first Tuesday in April, 1903.

STATE EXAMINER.

As state examiner—E. S. Tyler of Cass county, for a term of two years from March 11, 1903.

TRUSTEES OF PENITENTIARY.

As trustees of the penitentiary—Franklin Potter of Cass county, and A. T. Crowl of Stark county, each for a term of four years, and W. J. Westergaard of Barnes county for a term of two years, from the first Tuesday in April, 1903.

TRUSTEES OF UNIVERSITY.

As trustees of the university—Herman Shirley of Ransom county, for a term of four years, from the first Tuesday in April, 1903.

TRUSTEES OF VALLEY CITY NORMAL SCHOOL.

As trustees of the Valley City Normal School—W. T. Smith, of Ward county, and A. L. Martin, of Billings county, each for a term of four years from the second Tuesday in April, 1903.

TRUSTEES OF MAYVILLE NORMAL SCHOOL.

As trustees of the Mayville Normal School, B. S. Russell, of Stutsman county, E. Y. Sarles, of Traill county, and Edward Meilicke, of Cass county, each for a term of four years from the second Tuesday in April, 1903.

TRUSTEES OF STATE BOARD OF AGRICULTURE.

As trustees of the state Board of Agriculture D. R. Taylor, of Morton county, J. V. T. Kiebert, of Oliver county, and James Holland, of Burleigh county, each for a term of two years.

DISTRICT VETERINARIANS.

First District—Paul Bilden, of Grand Forks county.

Second District—W. F. Crewe, of Ramsey county.

Third District—D. Fisher, of Cass county.

Fourth District—S. W. Teal, of Dickey county.

Fifth District—C. A. Anderson, of Barnes county.

Sixth District—William Mackin, of Morton county.
Seventh District—A. F. Elliot, of Cavalier county.
Eighth District—Robert H. Treacy, of Buleigh county.
Ninth District—Argo Raymond, of Bottineau county.
Tenth District—F. W. Tompkins, of Benson county.
Each for a term of two years.

TRUSTEES FOR INSTITUTION OF FEEBLE MINDED.

As trustees of the Institution for the Feeble Minded, W. C. Treumann and J. E. Gray, of Walsh county and J. M. Wylie, of Pembina county, each for a term of four years, and W. J. Price, of Cass county, and B. T. Kraabel, of Steele county, each for a term of two years.

OPEN SESSION.

MESSAGE FROM THE HOUSE.

The following message was received from the house:

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 5, 1903.

Mr. President:

I have the honor to return herewith:

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. 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. 206,

A bill for an act providing for future valid assessments and levies of taxes and delinquencies and penalties thereon.

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.

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. 165,

A bill for an act relating to where county records shall be kept.

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. 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 house has passed unchanged.

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.

The title of which the house has 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."

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.

Which the house has amended by inserting after the word "Statement" in line 7 engrossed bill, insert "Provided that the provisions of this section shall not apply to judges hereafter elected."

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.

Which the house has amended 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."

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.

The title of which has been amended by striking out all there-of 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."

Also,

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.

Which the house has amended 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 your concurrence therein is requested.

Also,

I have the honor to return herewith

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. 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,

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.

Which the house has passed unchanged.

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.

Which the house has amended as follows:

In line 6, section 1, engrossed bill, strike out \$12,000 and insert \$10,500; in line 13 strike out \$16,500 and insert \$15,000.

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 your concurrence therein is requested.

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 and re-enact sections 2355 and 2358 of the Revised Codes of North Dakota for the year A. D. 1899.

Which the house has amended by striking out the emergency clause, and your concurrence therein is requested.

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.

Which the house has passed unchanged.

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.

Which the house has amended by striking out the figures \$5,000 where they appear in line 18 of section 1 engrossed bill

and insert \$3,000. Strike out \$25,000 in line 20 and insert \$22,235. Strike out \$59,765 in line 27 and insert \$55,000.

And your concurrence therein is requested.

A. O. ANDERSON,

Chief Clerk.

The secretary announced that the president was about to sign 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. 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. 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. 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.

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. 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. 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. 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.

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,

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. 206,

A bill for an act providing for future valid assessments and levies of taxes and delinquencies and penalties thereon.

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. 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 and pertaining to the appropriation therefor.

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 and re-enact sections 2355 and 2358 of the Revised Codes of North Dakota for the year A. D. 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. 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,

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. 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 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. 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 the same were signed in the presence of the senate.

The committee on enrolled and engrossed bills made the following report:

Mr. President:

Your committee on enrolled and engrossed bills have examined

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.

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. 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. 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,

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. 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. 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. 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.

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.

And find the same correctly enrolled.

H. E. LAVAYEA,
Chairman.

Mr. Little moved
That the senate take a recess until 7:30 p. m.
Which motion prevailed

AFTER RECESS.

MESSAGE FROM THE HOUSE.

The following message was received from the house:

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 5, 1903.

Mr. President:

I have the honor to return herewith

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.

Which the house has amended as follows:

In line 3, engrossed bill, strike out the words "eight" and insert "five." Strike out figures "8" and insert "5."

In line 11 strike out "\$4,000" and insert "\$1,000."

In line 12 strike out "\$28,000" and insert "\$25,000."

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 the house has amended as follows:

Strike out in line 2 sec. 2, engrossed bill the words "two thousand and five hundred" and insert in lieu thereof the words "One thousand."

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.

Which the house has amended as follows:

Strike out all after line 8 of section one of the engrossed bill and insert 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

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.

Which the house has amended by striking out the word "eight" in line 3, section 4, engrossed bill, and inserting in lieu thereof the word "six."

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,

Which the house has amended by striking out the figures "\$750" in line 3, section 1, engrossed bill and insert the figures "\$250" in lieu thereof.

And your concurrence therein is requested.

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 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.

Which the house has amended by striking out all after the enacting clause and inserting the engrossed bill herewith transmitted and your concurrence therein is requested.

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. 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. 16,

A bill for an act to amend sections 867, 869, 870, 871 and 872 of the Revised Codes of 1899, relating to education.

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. 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. 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. 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.

Which the house has passed unchanged.

A. O. ANDERSON,

Chief Clerk.

THIRD READING OF HOUSE BILLS.

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 31, nays none, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Hagen	Main
Carroll	Hale	McArthur
Cashel	Herbrandson	McLean
Clarke	Jacobson	Plain
Cox	Johnson	Regan
Crane	Kirkeide	Robinson
Devlin	LaMoure	Sharpe
Fox	Lavayea	Swenson
Garnett	Little	Talcott
Geer	Macdonald	Voss
Gulack		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Lofthus	Taylor
Benson	Pierce	Williams
Lewis	Simpson	Wipperman

Messrs. Benson, Pierce and Simpson being excused.

So the bill passed and the title was agreed to.

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."

The question being upon the final passage of the bill.

Was read the third time.

The roll was called and there were ayes 31, nays none, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Hagen	Main
Carroll	Hale	McArthur
Cashel	Herbrandson	McLean
Clarke	Johnson	Plain
Cox	Kirkeide	Regan
Crane	LaMoure	Robinson
Devlin	Lavayea	Sharpe
Fox	Little	Swenson
Garnett	Lofthus	Talcott
Geer	Macdonald	Voss
Gulack		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Lewis	Taylor
Benson	Pierce	Williams
Jacobson	Simpson	Wipperman

Messrs. Benson, Pierce and Simpson being excused.

So the bill passed and the title was agreed to.

The secretary announced that the president was about to sign 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. 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 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.

And the same was signed in the presence of the senate.

THIRD READING OF HOUSE BILLS.

House Bill No. 190,

A bill for an act to amend section 1526 of the Revised Codes of North Dakota of 1899.

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 32, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Hagen	McArthur
Carroll	Herbrandson	McLean
Cashel	Jacobson	Plain
Clarke	Johnson	Regan

Messrs.—
 Cox
 Crane
 Devlin
 Garnett
 Geer
 Gulack
 Hale

Messrs.—
 Kirkeide
 LaMoure
 Lavayea
 Little
 Lofthus
 Macdonald
 Main

Messrs.—
 Robinson
 Sharpe
 Swenson
 Talcott
 Voss
 Wimperman

Absent and not voting:

Messrs.—
 Bacon
 Benson
 Fox

Messrs.—
 Lewis
 Pierce
 Simpson

Messrs.—
 Taylor
 Williams

Messrs. Benson, Pierce and Simpson being excused.

So the bill passed and the title was agreed to.

REPORT OF STANDING COMMITTEE.

The committee on enrolled bills made the following report:

Mr. President:

Your committee on enrolled bills have examined
 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 sub-station at or near Dickinson in Stark county.

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. 213,

A bill for an act to amend section 785 of the Revised Codes of 1899, relating to special school districts

And find the same correctly engrossed.

H. E. LAVAYEA,
 Chairman.

THIRD READING OF HOUSE BILLS

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 34, nays none, absent and not voting 6 .

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Herbrandson	McArthur
Carroll	Jacobson	McLean
Cashel	Johnson	Plain
Clarke	Kirkeide	Regan
Cox	LaMoure	Robinson
Crane	Lavayea	Sharpe
Devlin	Lewis	Swenson
Garnett	Little	Talcott
Geer	Lofthus	Taylor
Gulack	Macednald	Voss
Hagen	Main	Wipperman
Hale		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Fox	Williams

Absent and not voting :

Messrs.—	Messrs.—	Messrs.—
Benson	Pierce	Simpson

Messrs. Benson, Pierce and Simpson 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.

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 none, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hagen	McArthur
Brown	Herbrandson	McLean
Carroll	Jacobson	Plain
Cashel	Johnson	Regan
Clarke	Kirkeide	Robinson
Cox	LaMoure	Sharpe

Messrs.—	Messrs.—	Messrs.—
Crane	Lavayer	Swenson
Devlin	Lewis	Talcott
Fox	Little	Taylor
Garnett	Lofthus	Voss
Gulack	Macdonald	Williams
Geer	Main	Wippertan
Hale		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Pierce	Simpson

Messrs. Benson, Pierce and Simpson being excused.

So the bill passed and the title was agreed to.

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 36, nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	McLean
Brown	Herbrandson	Plain
Carroll	Jacobson	Regan
Cashel	Johnson	Robinson
Clarke	Kirkeide	Sharpe
Cox	Lavayer	Swenson
Crane	LaMoure	Talcott
Devlin	Lewis	Taylor
Fox	Lofthus	Voss
Garnett	Macdonald	Williams
Geer	Main	Wippertan
Gulack	McArthur	
Hagen		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Pierce	Simpson
Little		

Messrs. Benson, Pierce and Simpson being excused.

So the bill passed and the title was agreed 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.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 36, nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	McArthur
Brown	Herbrandson	McLean
Cashel	Jacobson	Plain
Clarke	Johnson	Regan
Cox	Kirkeide	Robinson
Crane	LaMoure	Sharpe
Devlin	Lavayea	Swenson
Fox	Lewis	Talcott
Garnett	Little	Taylor
Geer	Lofthus	Voss
Gulack	Macdonald	Williams
Hagen	Main	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Pierce	Simpson
Carroll		

Messrs. Benson, Pierce and Simpson 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 31, nays none, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	McLean
Brown	Herbrandson	Plain
Carroll	Johnson	Regan
Cashel	Kirkeide	Robinson
Clarke	LaMoure	Sharpe
Crane	Lavayea	Swenson
Devlin	Lewis	Talcott
Fox	Lofthus	Voss
Garnett	Macdonald	Williams
Geer	McArthur	Wipperman
Hagen		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Jacobson	Pierce
Cox	Little	Simpson
Gulack	Main	Taylor

Messrs. Benson, Pierce and Simpson being excused.

So the bill passed and the title was agreed to.

REPORT OF STANDING COMMITTEE.

The committee on enrolled bills made the following report:

Mr. President:

Your committee on enrolled and engrossed bills have examined 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. 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. 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. 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 find the same correctly enrolled.

H. E. LAVAYEA,

Chairman.

The secretary announced that the president 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. 16,

A bill for an act to amend sections 867, 869, 870, 871 and 872 of the Revised Codes of 1899, relating to education.

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. 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.

THIRD READING OF HOUSE BILLS

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 35, nays none, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	McLean
Brown	Herbrandson	Plain
Carroll	Jacobson	Regan
Cashel	Johnson	Robinson
Clarke	Kirkeide	Sharpe
Cox	LaMoure	Swenson
Crane	Lavayea	Talcott
Devlin	Lewis	Taylor
Fox	Lofthus	Voss
Garnett	Macdonald	Williams
Geer	Main	Wipperman
Gulack	McArthur	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Little	Simpson
Hagen	Pierce	

Messrs. Benson, Pierce and Simpson being excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the house:

HOUSE OF REPRESENTATIVES
BISMARCK, NORTH DAKOTA,
March 5, 1903

Mr. President:

I have the honor to transmit herewith
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. 210,

A bill for an act regulating calling of elections to determine whether or not county courts shall have increased jurisdiction.

Which the house has passed unchanged.

A. O. ANDERSON,

Chief Clerk.

Mr. LaMoure moved

That the senate do not concur in house amendments to senate bills and that a conference committee of five be appointed.

Which motion prevailed.

The president appointed as such committee on the part of the senate Messrs. LaMoure, Robinson, Regan, Brown and Geer.

REPORT OF STANDING COMMITTEE.

The committee on enrolled and engrossed bills made the following report

Mr. President:

Your committee on enrolled and engrossed bills have examined 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. 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. 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.

And find the same correctly enrolled.

H. E. LAVAYEA,

Chairman.

The secretary announced that the president 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

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,

House Bill No. 45,

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

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,

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,

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,

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 same were signed in the presence of the senate.

CONFERENCE COMMITTEE REPORT.

The conference committee on certain appropriation bills presented the following report:

Mr President:

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.

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. 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.

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.

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,

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.

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. 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.

JUDSON LaMOURE,
GEO. D. BROWN,
W. H. ROBINSON,
D. E. GEER,
J. AUSTIN REGAN,
For the Senate.

W. F. LEECH,
GEO. W. H. DAVIS,
W. J. WATTS,
W. SIMPSON,
E. L. RICHMOND,
For the House.

Mr. LaMoure moved

The adoption of the report of the committee.

Which motion prevailed.

Mr. LaMoure moved

That the senate take a recess until 9:30 a. m. Friday, March 6.

Which motion prevailed.

FIFTY-NINTH DAY--AFTER RECESS.

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

REPORT OF STANDING COMMITTEE.

The committee on enrolled and engrossed bills made the following report

Mr. President:

Your committee on enrolled and engrossed bills have examined 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. 210,

A bill for an act regulating calling of elections to determine whether or not county courts have increased jurisdiction.

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. 147,

A bill for an act relating to agricultural fair corporations.

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. 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.

And find the same correctly enrolled.

H. E. LAVAYEA,
Chairman.

The secretary announced that the president 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.

Senate Bill No. 147,

A bill for an act relating to agricultural fair corporations.

Also,

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. 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. 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. 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 same were signed in the presence of the Senate.

MESSAGE FROM THE HOUSE.

The following message was received from the house:

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

Mr. President:

I have the honor to inform the senate that the house has rejected the report of the conference committee on the appropriation bills, asks for a new conference thereon and has appointed as conferees on the part of the house Messrs. Leech, Richmond, Davis, Watts and Simpson.

A. O. ANDERSON,
Chief Clerk.

Mr. Little moved

That the same conference committee be reappointed.

Which motion prevailed.

MESSAGE FROM THE HOUSE.

The following message was received from the house:

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

Mr. President:

I have the honor to transmit herewith

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.

Which the house has 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 17 and 18, of printed bill.

In line 20, 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 21, 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 22, 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 23, 24, 25, 26, 27 and 28.

In line 30, 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 of 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-five" 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.

Also,

I have the honor to transmit herewith,

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 house has passed unchanged.

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.

Which the house has passed unchanged.

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.

Which the house has passed unchanged.

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.

Which the house has passed unchanged.

Also,

Senate Bill No. 147,

A bill for an act relating to agricultural fair corporations.

Which the house has passed unchanged.

Also,

Senate Bill No. 128,

A bill for an act to amend subdivision 16 of section 2365 of the Revised Codes of 1899.

Which the senate has amended to read as follows:

By striking out the word "five," in line 2, of subdivision 16, in lieu thereof, the word "ten."

Also amend title by adding the words "relating to the levy and collection of taxes in villages."

And your concurrence therein is requested.

Also,

I have the honor to return herewith

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.

Which the house has passed unchanged.

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.

Which the house has amended as follows:

Add the words "commissioner of agriculture and labor," after the word "insurance," in line 6, engrossed bill.

Your concurrence therein is requested.

Also,

I have the honor to return herewith

Senate Bill No. 205,

A bill for an act amending sections 3594 and 3595 of the Revised Codes.

The title of which the house has amended by adding thereto the words:

Relating to the recording of conveyances and the effect thereof and defining the term conveyance.

And your concurrence therein is requested.

Also

I have the honor to transmit herewith

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.

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. 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. 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. 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. 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. 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. 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. 227,

A bill for an act to provide for the extension and enlargement and improvement of water systems in incorporated cities.

Senate Bill No. 236,

A bill for an act to provide for the adoption of a minor child under certain specified conditions.

Which have passed the house unchanged.

Also,

I have the honor to return herewith:

Senate Bill No. 126,

A bill for an act validating assessments and taxes, and providing for the collection of such taxes.

Which the house has amended by striking out the words "or hereafter to be commenced" after the word "pending" in line 13 of the engrossed bill.

And your concurrence therein is requested.

A. O. ANDERSON,
Chief Clerk.

REPORT OF STANDING COMMITTEE.

The committee on enrolled and engrossed bills made the following report:

Mr. President:

Your committee on enrolled and engrossed bills respectfully report that

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. 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. 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. 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. 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. 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. 183,

A bill for an act authorizing the issuing of bonds to provide funds for the erection of necessary additional buildings, prop-

erly 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. 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.

Were delivered to the governor for his approval at the hour of 3 o'clock, March 5, 1903.

Also, that

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. 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. 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. 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. 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. 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. 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. 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. 29,

A bill for an act authorizing the appointment of commissioners of deeds and declaring an emergency to exist.

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. 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. 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 apparatus or apparatus therewith connected by adding thereto and bringing within the provisions therewith telephone lines.

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. 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.

Were delivered to the governor for his approval at the hour of 5:30 o'clock, March 4, 1903.

Also, that

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.

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, 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. 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. 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. 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 Code relating to sheriffs 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.

Were delivered to the governor for his approval at the hour of 8:15, o'clock, March 5, 1903.

Also, that

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.

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.

Were delivered to the governor for his approval at the hour of 5:25 o'clock, March 5, 1903.

Also, that

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. 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. 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.

Were delivered to the governor for his approval at the hour of 8:25 o'clock, March 5, 1903.

Also, that

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, Mcenzie, Dunn, Hettinger and Bowman during said years of 1901 and 1902.

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.

Were delivered to the governor for his approval at the hour of 8:35 o'clock, March 5, 1903.

Also, that

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. 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. 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. 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. 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.

Were delivered to the governor for his approval at the hour of 9:55 o'clock, March 5, 1903.

Also, that

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. 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. 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.

Were delivered to the governor for his approval at the hour of o'clock, March 6, 1903.

Also, that

Senate Bill No. 147,

A bill for an act relating to agricultural fair corporations.

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. 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.

Were delivered to the governor for his approval at the hour of 11:00 o'clock, March 6, 1903.

H. E. LAVAYEA,

Chairman.

The president announced as the committee to correct the journal of the 60th day and comparing the written and printed journals of the session. Senator Lavayea, Secretary Tuttle and Geo. L. Townes.

MESSAGE FROM THE HOUSE.

The following message was received from the house.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 5, 1903.

Mr. Speaker:

I have the honor to return herewith

Senate Bill No. 149,

A bill for an act to amend sections 998 and 998a of the Revised Codes of North Dakota of 1899.

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. 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. 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.

Also,

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. 154,

A bill for an act repealing sections 1038, 1039, 1040, 1041, 1042, 1043 and 1044 of the Revised Codes of 1899.

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. 216,

A bill for an act to amend section 742 of the Revised Codes of the state of North Dakota of 1899.

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. 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. 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 late schools.

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. 76,

A bill for an act to prohibit the use and manufacture of cannon fire crackers.

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. 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. 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.
poned.

Also,

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. 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.

Also,

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. 129,

A bill for an act to amend section 5124 of the civil code of the Revised Codes of North Dakota.

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. 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. 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. 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.

Also,

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.

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. 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. 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. 225,
A bill for an act licensing auctioneers and prescribing penalties for acting as such without license.
- Also,
Senate Bill No. 228,
A bill for an act creating the office of inspector general of weights and measures.
- 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.
- Also,
Senate Bill No. 232,
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.
- 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.
- The further consideration of which the house has indefinitely postponed.

A. O. ANDERSON,
Chief Clerk.

The committee on enrolled and engrossed bills made the following report:

Mr. President:

- Your committee on enrolled and engrossed bills have examined 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. 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. 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. 236,

A bill for an act to provide for the adoption of a minor child under certain specified conditions.

And find the same correctly enrolled.

H. E. LAVAYEA,

Chairman.

The secretary announced that the president was about to sign:

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. 236,

A bill for an act to provide for the adoption of a minor child under specified conditions.

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.

And the same were signed in the presence of the senate.

MESSAGE FROM THE HOUSE.

The following message was received from the house:

HOUSE OF REPRESENTATIVES,

BISMARCK, NORTH DAKOTA,

March 5, 1903.

Mr. President:

I have the honor to inform the senate that the house has requested the return 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

A. O. ANDERSON,

Chief Clerk.

CONFERENCE COMMITTEE REPORT.

The conference committee on certain appropriation bills presented the following report:

Mr. President:

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 and 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 improvements 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 the 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.

JUDSON LaMOURE,
GEO. D. BROWN,
W. H. ROBINSON,
D. E. GEER,
J. AUSTIN REGAN,
For the Senate.

W. F. LEECH,
GEO. W. H. DAVIS,
W. J. WATTS,
W. SIMPSON,
E. L. RICHMOND,
For the House.

 REPORT OF CONFERENCE COMMITTEE.

The conference committee made the following report:

Mr. President:

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.

JUDSON LaMOURE,
GEO. D. BROWN,
W. H. ROBINSON,
D. E. GEER,
J. AUSTIN REGAN,
For the Senate.

W. F. LEECH,
GEO. W. H. DAVIS,
W. J. WATTS,
W. SIMPSON,
E. L. RICHMOND,
For the House.

Mr. Little moved
That the senate do now adjourn.
Which motion prevailed, and
The senate adjourned.

R. M. TUTTLE,
Secretary.

 SIXTIETH DAY

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

The senate met at 2 o'clock p. m. pursuant to adjournment.
The president presiding.
Prayer by the chaplain.
Roll call.
All members present except Messrs. Benson, Pierce and Simpson.
Messrs. Benson and Pierce being excused.

REPORT OF STANDING COMMITTEE.

The committee on enrolled and engrossed bills made the following report:

Mr. President:

Your committee on enrolled and engrossed bills have examined 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. 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. 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.

And find the same correctly enrolled.

H. E. LAVAYEA,
Chairman.

The secretary announced that the president was about to sign 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. 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.

And the same were signed in the presence of the Senate.

MESSAGE FROM THE HOUSE.

The following message was received from the house:

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

Mr. President:

I have the honor to inform the senate that the house has adopted the report of the conference committee on

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.

And has passed the bill as recommended by the conference committee.

Respectfully,
A. O. ANDERSON,
Chief Clerk.

MESSAGE FROM THE HOUSE.

The following message was received from the house:

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

Mr. President:

I have the honor to inform the senate that the house has adopted the report of the conference committee 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 contingent expenses of the institution for feeble minded at Grafton, North Dakota.

And has passed the bill as recommended by the conference committee.

Respectfully,
A. O. ANDERSON,
Chief Clerk.

MESSAGE FROM THE HOUSE.

The following message was received from the house:

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

Mr. President:

I have the honor to inform the senate that the house refuses to adopt the report of the 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.

and asks for a new conference and has appointed as conferees on the part of the house Messrs. Young, Miller, Allen, Wall and Dieball.

Respectfully,
A. O. ANDERSON,
Chief Clerk.

MESSAGE FROM THE HOUSE.

The following message was received from the house:

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

I have the honor to inform the senate that the house has adopted the report of the conference committee on

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.

And has passed the bill as recommended by the conference committee.

Respectfully,
A. O. ANDERSON,
Chief Clerk.

Mr. Crane moved

That the senate do now concur in the house amendments to 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.

Which motion prevailed.

The question being on the passage of the bill as amended.

The roll was called and there were ayes 37, nays none, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	McArthur
Brown	Herbrandson	McLear
Carroll	Jacobson	Plain

<p>Messrs.— Cashel Clarke Cox Crane Devlin Fox Garnett Geer Gulack Hagen</p>	<p>Messrs.— Johnson Kirkeide LaMoure Lavayea Lewis Little Lofthus Macdonald Main</p>	<p>Messrs.— Regan Robinson Sharpe Simpson Swenson Talcott Taylor Williams Wipperman</p>
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Absent and not voting:

<p>Messrs.— Benson</p>	<p>Messrs.— Pierce</p>	<p>Messrs.— Voss</p>
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Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

Mr. Cashel moved

That the senate do now concur in the house amendments to Senate Bill No. 128,

A bill for an act to amend subdivision 16 of section 2365 of the Revised Codes of 1899.

Which motion prevailed.

The question being on the passage of the bill as amended.

The roll was called and there were ayes 35, nays none, absent and not voting 5.

Those who voted in the affirmative were:

<p>Messrs.— Bacon Brown Carroll Cashel Clarke Crane Devlin Fox Garnett Geer Gulack Hagen</p>	<p>Messrs.— Hale Herbrandson Jacobson Johnson Kirkeide LaMoure Lavayea Lewis Little Lofthus Macdonald Main</p>	<p>Messrs.— McArthur McLean Plain Robinson Sharpe Simpson Swenson Talcott Taylor Williams Wipperman</p>
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Absent and not voting:

<p>Messrs.— Benson Cox</p>	<p>Messrs.— Pierce Regan</p>	<p>Messrs.— Voss</p>
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Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the house:

HOUSE OF REPRESENTATIVES,
 BISMARCK, NORTH DAKOTA.

March 6, 1903.

Mr. President:

I have the honor to inform the senate that the house has adopted the report of the conference committee 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.

And has passed the bill as recommended by the conference committee with the addition of the emergency clause added as an amendment.

Respectfully,

A. O. ANDERSON,
Chief Clerk.

Mr. Hale moved

That the senate do now concur in the house amendments to Senate Bill No. 126,

A bill for an act validating assessments and taxes, and providing for the collection of such taxes.

Which motion prevailed.

The question being on the passage of the bill as amended.

The roll was called and there were ayes 33, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hagen	Main
Brown	Hale	McArthur
Cashel	Herbrandson	McLean
Clarke	Jacobson	Plain
Cox	Johnson	Robinson
Crane	Kirkeide	Sharpe
Devlin	LaMoure	Simpson
Fox	Lavayea	Swenson
Garnett	Lewis	Taylor
Geer	Lofthus	Williams
Gulack	Macdonald	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Pierce	Talcott
Carroll	Regan	Voss
Little		

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the house:

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

Mr. President:

I have the honor to inform the senate that the house has adopted the report of the conference committee 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.

And has passed the bill as recommended by the conference committee.

Respectfully,
A. O. ANDERSON,
Chief Clerk.

Mr. Lewis moved

That the senate do now concur in the house amendments to Senate Bill No. 205,

A bill for an act amending sections 3594 and 3595 of the Revised Codes.

Which motion prevailed.

The question being on the passage of the bill as amended.

The roll was called and there were ayes 34, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	McLean
Brown	Johnson	Plain
Cashel	Kirkeide	Robinson
Clarke	LaMoure	Sharpe
Cox	Lavayea	Simpson
Crane	Lewis	Swenson
Devlin	Little	Talcott
Fox	Lofthus	Taylor
Garnett	Macdonald	Voss
Geer	Main	Williams
Gulack	McArthur	Wipperman
Hagen		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Hale	Pierce
Carroll	Jacobson	Regan

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

Mr. Little moved

That the senate do now concur in the house amendments 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.

Which motion prevailed.

The question being on the passage of the bill as amended.

The roll was called and there were ayes 31, nays none, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Johnson	McLean
Carroll	Kirkeide	Plain
Clarke	LaMoure	Robinson
Crane	Lavayea	Sharpe
Devlin	Lewis	Simpson
Garnett	Little	Swenson
Geer	Lofthus	Taylor
Gulack	Macdonald	Voss
Hagen	Main	Williams
Herbrandson	McArthur	Wipperman
Jacobson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Cox	Pierce
Benson	Fox	Regan
Cashel	Hale	Talcott

Messrs, Benson and Pierce being excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the house:

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

Mr. President:

I have the honor to inform the senate that the house has adopted the report of the conference committee 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, form counties of Williams, Dunn, Hettinger, Bowman, McKenzie, Allred and Wallace.

And has passed the bill as recommended by the conference committee.

Respectfully,

A. O. ANDERSON,
Chief Clerk.

Mr. LaMoure moved

That the president appoint a conference committee of five on Senate Bill 18.

Which motion prevailed.

The president named as such committee Messrs. Cox, Talcott, Fox, Cashel and Hale.

REPORT OF STANDING COMMITTEE.

The committee on enrolled and engrossed bills made the following report:

Mr. President:

Your committee on enrolled and engrossed bills have examined 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. 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. 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. 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.

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. 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. 205,

A bill for an act amending sections 3594 and 3595 of the Revised Codes.

And find the same correctly enrolled.

H. E. LAVAYEA,
Chairman.

The secretary announced that the president was about to sign 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. 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. 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. 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. 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. 128,

A bill for an act to amend subdivision 16 of section 2365 of the Revised Codes of 1899.

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. 205,

A bill for an act amending sections 3594 and 3595 of the Revised Codes.

And the same were signed in the presence of the Senate.

REPORT OF CONFERENCE COMMITTEE.

Mr. President:

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 senate and house adopt the report of the former conference committee on the said bill.

A. B. COX,
F. S. TALCOTT,
HENRY HALE,
R. A. FOX,
J. L. CASHEL,

For the Senate.

GEORGE M. YOUNG,
JOHN MILLER,
A. E. ALLEN,
WM. DIEBALL,
A. L. WALL,

For the House.

Mr. Little moved the adoption of the report.
Which motion prevailed.

MESSAGE FROM THE HOUSE.

The following message was received from the house:

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

Mr. President:

I have the honor to transmit herewith the following concurrent resolution:

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.

Respectfully,
A. O. ANDERSON,
Chief Clerk.

Mr. Taylor moved
The adoption of the concurrent resolution.
Which motion prevailed.

Mr. Johnson moved
That the senate do not concur in 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 that the president appoint a conference committee of three.

Which motion prevailed.

The president named as such committee Messrs. Johnson, Simpson and Crain.

MOTIONS AND RESOLUTIONS.

Mr. Regan introduced the following resolution and moved its adoption.

Resolved, That the senate allow LaMoure and Sharpe twenty-five dollars each expenses incurred during the trip to Madison.

Which motion prevailed, and

The resolution was adopted.

Mr. Sharpe moved

That Senator J. D. Bacon be elected president pro tem. as per article 2, section 31 of the state constitution.

The roll was called and there were ayes 33, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Carroll	Jacobson	McLean
Cashel	Johnson	Plain
Crane	Kirkeide	Regan
Devlin	LaMoure	Robinson
Fox	Lavayea	Sharpe
Garnett	Lewis	Simpson
Geer	Little	Swenson
Gulack	Lofthus	Talcott
Hagen	Macdonald	Taylor
Hale	Main	Williams
Herbrandson	McArthur	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Clarke	Pierce
Benson	Cox	Voss
Brown		

The president announced Mr. Bacon elected president pro tem.

The following resolution was introduced by Senator Lavayea:

Whereas, the members of this senate have noted the courtesy, willingness and unflinching attention to duty of the stenographers for the senators, Misses Karrie King and Nannie Mudgett, whose promptness, accuracy and industry has materially aided the work of the senators in a clerical way, therefore, be it

Resolved, That this expression of appreciation of their services be spread upon the Journal of the Senate and that they be thanked hereby for their good work.

Mr. Lavayea moved

The adoption of the resolution.

Which motion prevailed.

Mr. Crane moved

That the senate do now concur in the house amendments 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.

Which motion prevailed

The question being on the passage of the bill as amended.

The roll was called and there were ayes 28, nays none, absent and not voting 12.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Hale	McLean
Carroll	Herbrandson	Plain
Cashel	Jacobson	Regan
Cox	Kirkeide	Robinson
Crane	LaMoure	Simpson
Devlin	Lavayea	Swenson
Garnett	Little	Talcott
Geer	Lofthus	Taylor
Gulack	McArthur	Williams
Hagen		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Johnson	Pierce
Benson	Lewis	Sharpe
Clarke	Macdonald	Voss
Fox	Main	Wipperman

Messrs. Benson and Pierce being excused.

So the bill as amended passed, and the title was agreed to.

Mr. Simpson moved that

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.

be amended by striking out the word "Wallace" wherever it occurs in the title and in the body of the act.

Which motion prevailed.

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 on the final passage of the bill as amended.

The roll was called and there were ayes 23, nays 8, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Crane	Kirkeide	Regan
Devlin	LaMoure	Robinson
Geer	Lewis	Sharpe
Gulack	Little	Simpson
Hagen	Macdonald	Taylor
Hale	Main	Williams
Herbrandson	McArthur	Wipperman
Johnson	Plain	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Carroll	Jacobson	McLean
Cashel	Lavayea	Swenson
Fox	Lofthus	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Clarke	Pierce
Benson	Cox	Talcott
Brown	Garnett	Voss

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

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 26, nays 1, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Carroll	Kirkeide	McLean
Cashel	Lavayea	Plain
Clarke	Lewis	Regan
Crane	Little	Robinson

Messrs.—	Messrs.—	Messrs.—
Devlin	Lofthus	Simpson
Geer	Macdonald	Taylor
Gulack	Main	Williams
Hagen	McArthur	Wipperman
Hale		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Garnett	Pierce
Benson	Jacobson	Swenson
Brown	Johnson	Talcott
Cox	LaMoure	Voss
Fox	Sharpe	

Mr. Herbrandson voted in the negative.

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed 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.

Was read the third time.

The question being upon the final passage of the bill:

The roll was called and there were ayes 30, nays none, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	McLean
Cashel	Herbrandson	Plain
Cox	Kirkeide	Robinson
Crane	LaMoure	Sharpe
Devlin	Lavayea	Simpson
Fox	Lewis	Swenson
Garnett	Little	Talcott
Geer	Lofthus	Taylor
Gulack	Macdonald	Williams
Hagen	Main	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Jacobson	Pierce
Brown	Johnson	Regan
Carroll	McArthur	Voss
Clarke		

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

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 31, nays none, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	McLean
Carroll	Johnson	Plain
Clarke	Kirkeide	Regan
Cox	Lavayea	Robinson
Crane	Lewis	Sharpe
Devlin	Little	Simpson
Fox	Lofthus	Talcott
Garnett	Macdonald	Taylor
Gulack	Main	Voss
Hagen	McArthur	Williams
Hale		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Geer	Pierce
Brown	Jacobson	Swenson
Cashel	LaMoure	Wipperman

Messrs. Benson and Pierce being excused.

So the bill 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 24, nays 4, absent and not voting 12.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Garnett	McArthur
Brown	Geer	McLean
Carroll	Hagen	Regan
Clarke	Jacobson	Robinson
Cox	LaMoure	Sharpe
Crane	Lewis	Swenson
Devlin	Little	Talcott
Fox	Main	Taylor

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Hale	Lavayea	Plain
Johnson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Kirkeide	Simpson
Cashel	Lofthus	Voss
Gulack	Macdonald	Williams
Herbrandson	Pierce	Wipperman

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

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 25, nays 5, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	Lofthus
Carroll	Jacobson	McLean
Clarke	Johnson	Plain
Crane	Kirkeide	Regan
Devlin	LaMoure	Robinson
Fox	Lavaya	Sharpe
Garnett	Lewis	Simpson
Geer	Little	Talcott

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Cox	McArthur	Taylor
Hagen	Wipperman	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Hale	Swenson
Brown	Macdonald	Voss
Cashel	Main	Williams
Gulack	Pierce	

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

Mr. Herbrandson moved that

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.

be taken from the steering committee and placed on third reading and final passage.

A roll call was demanded on the motion.

The roll was called and there were ayes 16, nays 19, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Cashel	Lewis	Plain
Devlin	Lofthus	Regan
Hagen	Macdonald	Robinson
Hale	Main	Sharpe
Herbrandson	McArthur	Wipperman
Kirkeide		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Geer	Little
Brown	Gulack	McLean
Carroll	Jacobson	Simpson
Clarke	Johnson	Talcott
Cox	LaMoure	Taylor
Crane	Lavayea	Voss
Garnett		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Swenson	Williams
Fox	Pierce	

Messrs. Benson and Pierce being excused.

So the motion was lost.

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 33, nays 1, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Gulack	McArthur
Brown	Hagen	McLean
Carroll	Hale	Plain
Cashel	Herbrandson	Regan
Clarke	Jacobson	Robinson
Cox	Johnson	Sharpe
Crane	Kirkeide	Simpson
Devlin	LaMoure	Talcott
Fox	Lewis	Taylor
Garnett	Macdonald	Williams
Geer	Main	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Lofthus	Swenson
Little	Pierce	Voss

Mr. Lavayea voted in the negative.

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

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 26, nays none, absent and not voting 14.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Cashel	Herbrandson	McLean
Clarke	Jacobson	Plain
Cox	Johnson	Regan
Crane	Kirkeide	Robinson
Devlin	LaMoure	Talcott
Fox	Lofthus	Taylor
Gulack	Macdonald	Williams
Hagen	Main	Wipperman
Hale	McArthur	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Geer	Sharpe
Benson	Lavayea	Simpson
Brown	Lewis	Swenson
Carroll	Little	Voss
Garnett	Pierce	

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

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 25, nays none, absent and not voting 15.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Cashel	Herbrandson	McArthur
Clarke	Johnson	McLean
Cox	Kirkeide	Plain
Crane	LaMoure	Robinson
Devlin	Lewis	Sharpe
Fox	Lofthus	Talcott
Gulack	Macdonald	Taylor
Hagen	Main	Williams
Hale		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Geer	Regan
Benson	Jacobson	Simpson
Brown	Lavayea	Swenson
Carroll	Little	Voss
Garnett	Pierce	Wipperman

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

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 24, nays 2, absent and not voting 14.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Cashel	Hagen	McArthur
Clarke	Hale	McLean
Cox	Herbrandson	Robinson
Crane	Jacobson	Sharpe
Devlin	Johnson	Swenson
Fox	Lewis	Talcott
Geer	Lofthus	Taylor
Gulack	Macdonald	Williams

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Kirkeide	Pierce
Benson	LaMoure	Regan
Brown	Lavayea	Simpson
Carroll	Little	Voss
Garnett	Main	

Messrs. Plain and Wipperman voted in the negative.

Messrs. Benson and Pierce 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 23 nays none, absent and not voting, 17.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Hagen	McLean
Cashel	Hale	Plain
Clarke	LaMoure	Robinson
Cox	Lewis	Sharpe
Crane	Little	Talcott
Devlin	Lofthus	Taylor
Geer	Macdonald	Wipperman
Gulack	McArthur	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Jacobson	Regan
Benson	Johnson	Simpson
Carroll	Kirkeide	Swenson
Fox	Lavayea	Voss
Garnett	Main	Williams
Herbrandson	Pierce	

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

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 21, nays 1, absent and not voting 18.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Hagen	McArthur
Cashel	Hale	McLean
Cox	Johnson	Robinson
Crane	Kirkeide	Sharpe
Devlin	LaMoure	Swenson
Geer	Little	Talcott
Gulack	Lofthus	Taylor

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	Pierce
Benson	Jacobson	Plain
Carroll	Lavayea	Regan
Clarke	Lewis	Simpson
Fox	Macdonald	Voss
Garnett	Main	Williams

Mr. Wipperman voted in the negative.

Messrs. Benson and Pierce 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 21, nays none, absent and not voting 19.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Johnson	McLean
Cox	Kirkeide	Plain
Crane	LaMoure	Regan
Geer	Little	Robinson
Hagen	Lofthus	Sharpe
Hale	Macdonald	Swenson
Herbrandson	McArthur	Taylor

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Garnett	Pierce
Benson	Gulack	Simpson
Carroll	Jacobson	Talcott
Cashel	Lavayea	Voss
Clarke	Lewis	Williams
Devlin	Main	Wipperman
Fox		

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

Mr. LaMoure moved

That the senate do now concur in the house amendments to Senate Bill No. 69, incorporating the emergency clause.

Which motion prevailed.

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.

The question being on the passage of the bill as amended

The roll was called and there were ayes 31, nays none, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—

Brown
Carroll
Cashel
Cox
Crane
Devlin
Garnett
Geer
Gulack
Hagen
Hale

Messrs.—

Jacobson
Johnson
Kirkeide
LaMoure
Little
Lofthus
Macdonald
Main
McArthur
McLean

Messrs.—

Plain
Regan
Robinson
Simpson
Swenson
Talcott
Taylor
Voss
Williams
Wiperman

Absent and not voting:

Messrs.—

Bacon
Benson
Clarke

Messrs.—

Fox
Herbrandson
Lavayea

Messrs.—

Lewis
Pierce
Sharpe

Messrs. Benson and Pierce being excused.

So the bill as amended passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the house:

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

Mr. President:

I have the honor to inform the senate that the house has rejected the conference 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.

And asks for a new conference and has appointed as conferees on the part of the house Messrs. Ryan, Senour, Sheils, Gilbert and McCrea.

A. O. ANDERSON,
Chief Clerk.

Mr. Little moved

That a conference committee of 5 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.

The president named as such committee Messrs. Garnett, Lewis, Geer, Crane and Talcott.

THIRD READING OF HOUSE BILLS.

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.

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 none, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—

Brown
Carroll
Cashel
Cox
Crane
Garnett
Geer
Hale
Herbrandson
Jacobson

Messrs.—

Johnson
Kirkeide
LaMoure
Lavayea
Lewis
Little
Lofthus
Macdonald
McArthur
McLean

essrs.—

Plain
Regan
Robinson
Simpson
Swenson
Talcott
Taylor
Voss
Wipperman

Absent and not voting:

Messrs.—

Benson
Bacon
Clarke
Devlin

Messrs.—

Fox
Gulack
Hagen
Main

Messrs.—

Pierce
Sharpe
Williams

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed 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.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 13, nays 4, absent and not voting 23.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Jacobson	Robinson
Carroll	Kirkeide	Taylor
Cashel	LaMoure	Voss
Cox	Lavayea	Wipperman
Hale		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Crane	Main	Plain
Devlin		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	Pierce
Benson	Johnson	Regan
Clarke	Lewis	Sharpe
Fox	Little	Simpson
Garnett	Lofthus	Swenson
Geer	Macdonald	Talcott
Gulack	McArthur	Williams
Hagen	McLean	

Messrs. Benson and Pierce being excused.

So the bill was lost.

MESSAGE FROM THE HOUSE.

The following message was received from the house:

HOUSE OF REPRESENTATIVES

BISMARCK, NORTH DAKOTA.

March 6, 1903

Mr. President:

I have the honor to return herewith:

Senate Bill No. 78,

A bill for an act to amend section 273 of the Revised Codes of 1899 relating to state board of health.

Which the house has passed unchanged.

A. O. ANDERSON,

Chief Clerk.

REPORT OF STANDING COMMITTEE.

The committee on enrolled and engrossed bills made the following report

Mr. President:

Your committee on enrolled and engrossed bills have examined 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.

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 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. 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. 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. 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.

Also,

Senate Bill No. 126,

A bill for an act validating assessments and taxes, and providing for the collection of such taxes.

And find the same correctly enrolled.

H. E. LAVAYEA,
Chairman.

The secretary announced that the president was about to sign 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.

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. 126,

A bill for an act validating assessments and taxes, and providing for the collection of such taxes.

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. 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.

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 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.

And the same were signed in the presence of the Senate.

Mr. Johnson moved

That further consideration of

House Bill No. 224,

A bill for an act to promote forest tree culture.

Be indefinitely postponed.

Which motion prevailed.

Mr. Regan moved
That the vote by which
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 lost be reconsidered.
Which motion prevailed.

THIRD READING OF HOUSE BILLS

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 third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 25, nays none, absent and not voting 15.

Those who voted in the affirmative were:

Messrs.—
Cashel
Cox
Crane
Fox
Garnett
Hagen
Hale
Jacobson
Johnson

Messrs.—
Kirkeide
LaMoure
Little
Lofthus
Macdonald
Main
McArthur
McLean

Messrs.—
Plain
Regan
Robinson
Sharpe
Simpson
Talcott
Taylor
Voss

Absent and not voting:

Messrs.—
Bacon
Benson
Brown
Carroll
Clarke

Messrs.—
Devlin
Geer
Gulack
Herbrandson
Lavayea

Messrs.—
Lewis
Pierce
Swenson
Williams
Wipperman

Messrs. Benson and Pierce 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 were ayes 29, nays none, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Cashel	Jacobson	McLean
Cox	Johnson	Plain
Crane	Kirkeide	Robinson
Devlin	LaMoure	Sharpe
Fox	Lavayea	Swenson
Garnett	Little	Talcott
Geer	Lofthus	Taylor
Gulack	Macdonald	Voss
Hagen	Main	Wipperman
Hale	McArthur	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Clarke	Regan
Benson	Herbrandson	Simpson
Brown	Lewis	Williams
Carroll	Pierce	

Messrs. Benson and Pierce 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 32, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Cashel	Jacobson	McArthur
Cox	Johnson	McLean
Crane	Kirkeide	Plain
Devlin	LaMoure	Regan
Fox	Lavayea	Robinson
Garnett	Lewis	Sharpe
Geer	Little	Swenson
Gulack	Lofthus	Talcott
Hagen	Macdonald	Taylor
Hale	Main	Wipperman
Herbrandson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Carroll	Simpson
Benson	Clarke	Voss
Brown	Pierce	Williams

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

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 30, nays none, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Hale	Main
Carroll	Herbrandson	McArthur
Cox	Jacobson	McLean
Crane	Johnson	Plain
Devlin	Kirkeide	Regan
Fox	LaMoure	Robinson
Garnett	Lewis	Sharpe
Geer	Little	Simpson
Gulack	Lofthus	Talcott
Hagen	Macdonald	Wippertman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Lavayer	Taylor
Benson	Pierce	Voss
Cashel	Swenson	Williams
Clarke		

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

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 was called and there were ayes 21, nays 5, absent and not voting 14.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Hale	Lofthus
Cashel	Herbrandson	Macdonald
Cox	Johnson	Main
Crane	Kirkeide	Sharpe
Garnett	LaMoure	Swenson
Geer	Lewis	Talcott
Hagen	Little	Wippertman

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Lavayer	Plain	Taylor
McLean	Robinson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Fox	Regan
Benson	Gulack	Simpson
Carroll	Jacobson	Voss
Clarke	McArthur	Williams
Devlin	Pierce	

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

House Bill 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 23, nays none, absent and not voting 17.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Geer	Macdonald
Brown	Hagen	McArthur
Carroll	Hale	Regan
Cashel	Herbrandson	Robinson
Cox	Johnson	Sharpe
Crane	Kirkeide	Talcott
Devlin	Lavayea	Wiperman
Garnett	Little	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Lewis	Simpson
Clarke	Lofthus	Swenson
Fox	Main	Taylor
Gulack	McLean	Voss
Jacobson	Pierce	Williams
LaMoure	Plain	

Messrs. Benson and Pierce 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 26, nays none, absent and not voting 14.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Carroll	Herbrandson	McLean
Cashel	Kirkeide	Plain
Clarke	LaMoure	Regan
Cox	Lavayea	Robinson
Crane	Lewis	Sharpe
Garnett	Little	Swenson
Geer	Lofthus	Talcott
Gulack	Macdonald	Wiperman
Hale	Main	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hagen	Simpson
Benson	Jacobson	Taylor
Brown	Johnson	Voss
Devlin	McArthur	Williams
Fox	Pierce	

Messrs. Benson and Pierce 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 28, nays none, absent and not voting 12.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hagen	McLean
Brown	Hale	Plain
Carroll	Herbrandson	Robinson
Cashel	Johnson	Sharpe
Clarke	LaMoure	Simpson
Cox	Lavayea	Swenson
Crane	Lewis	Talcott
Fox	Lofthus	Taylor
Garnett	Macdonald	Wipperman
Gulack		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Kirkeide	Pierce
Devlin	Little	Regan
Geer	Main	Voss
Jacobson	McArthur	Williams

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the house.

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

Mr. President:

I have the honor to return herewith

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.

Which the house has passed unchanged.

A. O. ANDERSON,
Chief Clerk.

THIRD READING OF HOUSE BILLS

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 27, nays none, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Gulack	Macdonald
Brown	Hagen	Plain
Cashel	Hale	Robinson
Cox	Herbrandson	Sharpe
Crane	Johnson	Simpson
Devlin	LaMoure	Swenson
Fox	Lavayea	Talcott
Garnett	Lewis	Taylor
Geer	Lofthus	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Little	Pierce
Carroll	Main	Regan
Clarke	McArthur	Voss
Jacobson	McLean	Williams
Kirkeide		

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

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 24, nays none, absent and not voting 16.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Geer	Plain
Brown	Hagen	Robinson
Carroll	Herbrandson	Sharpe
Cashel	Jacobson	Simpson
Cox	LaMoure	Swenson
Crane	Lavayea	Talcott
Devlin	Little	Taylor
Garnett	McArthur	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Kirkeide	McLean
Clarke	Lewis	Pierce
Fox	Lofthus	Regan
Gulack	Macdonald	Voss
Hale	Main	Williams
Johnson		

Messrs. Benson and Pierce being excused.
So the bill passed and the title was agreed to.

House Bill No. 143,

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 23, nays 2, absent and not voting 15.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hagen	McArthur
Brown	Hale	McLean
Caslet	Herbrandson	Plain
Clarke	Jacobson	Sharpe
Cox	LaMoure	Swenson
Crane	Lavaya	Talcott
Devlin	Lewis	Taylor
Geer	Macdonald	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Kirkeide	Regan
Carroll	Little	Simpson
Fox	Lofthus	Voss
Gulack	Main	Williams
Johnson	Pierce	Wiperman

Messrs. Benson and Pierce being excused.
Messrs. Garnett and Robinson voted in the negative.
So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the house:

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

Mr. President:

I have the honor to inform the senate that the house has adopted the report of the 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.

And has passed the same as amended.

A. O. ANDERSON,
Chief Clerk.

CONFERENCE COMMITTEE REPORT.

The conference committee made the following report:

Mr. President:

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 committee be adopted with the exception that the item for maintenance be reduced from \$14,400 to \$12,400.

A. GARNETT,
D. E. GEER,
F. S. TALCOTT,
MAYNARD CRANE,
R. S. LEWIS,

For the Senate.

H. P. RYAN,
C. H. SHEILS,
GEO. A. McCREA,
E. F. GILBERT,
GEO. A. SENOUR,

For the House.

Mr. Little moved

The adoption of the conference committee report on Senate Bill No. 18.

Which motion prevailed.

Mr. Little moved

That the senate do now concur in the house amendments to 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.

The question being upon the final passage of the bill as amended.

The roll was called and there were ayes 33, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Gulack	McLean
Brown	Hagen	Plain
Carroll	Hale	Regan
Cashel	Herbrandson	Robinson
Clarke	Jacobson	Sharpe
Cox	Johnson	Swenson
Crane	LaMoure	Talcott
Devlin	Lavayea	Taylor
Fox	Lewis	Voss
Garnett	Little	Williams
Geer	McArthur	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Macdonald	Pierce
Kirkeide	Main	Simpson
Lofthus		

Messrs. Benson and Pierce being excused.

So the bill as amended passed and the title was agreed to.

THIRD READING OF HOUSE BILLS.

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."

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 32, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	Regan
Brown	Herbrandson	Robinson
Cashel	Jacobson	Sharpe
Clarke	Johnson	Simpson
Cox	LaMoure	Swenson
Crane	Lewis	Talcott
Devlin	Little	Taylor
Fox	Lofthus	Voss
Garnett	McArthur	Williams
Geer	McLean	Wipperman
Hagen	Plain	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Kirkeide	Main
Carroll	Lavayea	Pierce
Gulack	Macdonald	

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the house:

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

Mr. President:

I have the honor to return herewith
Senate Bill No. 124,

A bill for an act to amend section 1112 of the Revised Codes
of North Dakota for the year 1899.

Which the house has passed unchanged.

A. O. ANDERSON,
Chief Clerk.

THIRD READING OF HOUSE BILLS.

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 re-
vocable.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 22, nays 4, absent
and not voting 14.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Brown	Hala	Sharpe
Cashel	Jacobson	Simpson
Clarke	Lofthus	Swenson
Crane	Macdonald	Talcott
Garnett	McArthur	Taylor
Geer	McLeary	Voss
Gulack	Plain	Wipperman
Hagen		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Kirkeide	Regan	Robinson
LaMoure		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bacon	Fox	Little
Benson	Herbrandson	Main
Carroll	Johnson	Pierce
Cox	Lavayea	Williams
Devlin	Lewis	

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

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 32 nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hagen	McArthur
Brown	Hale	Plain
Carroll	Jacobson	Robinson
Cashel	Johnson	Sharpe
Clarke	Kirkeide	Swenson
Cox	LaMoure	Talcott
Crane	Lewis	Taylor
Devlin	Little	Voss
Fox	Lofthus	Williams
Garnett	Macdonald	Wipperman
Geer	Main	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Lavayea	Regan
Gulack	McLean	Simpson
Herbrandson	Pierce	

Messrs. Benson, Pierce and Simpson being excused.

So the bill passed and the title was agreed to.

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 26, nays none, absent and not voting 14.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hale	Sharpø
Brown	Johnson	Simpson
Carroll	Kirkeide	Swenson
Clarke	LaMoure	Talcott
Cox	Lavayea	Taylor
Crane	Lewis	Voss
Garnett	Macdonald	Williams
Geer	Main	Wipperman
Hagen	Robinson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Herbrandson	McLean
Cashel	Jacobson	Pierce
Devlin	Little	Plain
Fox	Lofthus	Regan
Gulack	McArthur	

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

Mr. LaMoure moved

That a committee of three be appointed to notify the house that the senate will be ready to adjourn at 10 p. m.

Which motion prevailed.

The president named as such committee LaMoure, Sharpe and Cashel.

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 20, nays 11, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs —	Messrs.—
Bacon	Gulack	Macdonald
Brown	Hagen	Plain
Carroll	Hale	Robinson
Cashel	Johnson	Sharpe
Cox	Lavaye	Voss
Crane	Lewis	Wipperman
Fox	Little	

Those who voted in the negative were:

Messrs.—	Messrs —	Messrs —
Devlin	LaMoure	Talcott
Geer	Main	Taylor
Herbrandson	McArthur	Williams
Kirkelide	Swenson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Jacobson	Pierce
Clarke	Lofthus	Regan
Garnett	McLean	Simpson

Messrs. Benson and Pierce being excused.

So the bill was lost.

MESSAGE FROM THE HOUSE.

The following message was received from the house:

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

Mr. President:

I have the honor to return herewith
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 house has 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 your concurrence therein is requested.

A. O. ANDERSON,
Chief Clerk.

Mr. Simpson moved

That the senate do not concur in house amendments to Senate Bill No. 203.

And moved the appointment of a conference committee.

Which motion prevailed.

The president named as such committee Messrs. Simpson, Little and Main.

THIRD READING OF HOUSE BILLS.

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 24, nays none, absent and not voting 16.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Jacobson	Plain
Brown	Johnson	Regan
Carroll	Kirkelde	Robinson
Clarke	Lavayea	Simpson
Crane	Lofthus	Swenson
Fox	Macdonald	Taylor
Gulack	Main	Voss
Hagen	McLean	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Hale	McArthur
Cashel	Herbrandson	Pierce
Cox	LaMoure	Sharpe
Devlin	Lewis	Falcott
Garnett	Little	Williams
Geer		

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed 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.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 28, nays none, absent and not voting 12.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	McArthur
Brown	Jacobson	McLean
Carroll	Johnson	Regan
Cashel	Kirkelde	Robinsou
Cox	LaMoure	Sharpe
Crane	Lavayea	Simpson
Devlin	Lewis	Swenson
Geer	Little	Taylor
Hagen	Lofthus	Voss
Hale	Macdonald	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Gulack	Talcott
Clarke	Main	Williams
Fox	Pierce	Wipperman
Garnett	Plain	

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the house:

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

Mr. President:

I have the honor to inform you that the house has appointed as conferees on

Senate Bill No. 203,

A bill for an act attaching certain unorganized counties and territory to the organized county of Stark for judicial purposes.

Messrs. Senour, Beck and Peterson of Wells.

Respectfully,

A. O. ANDERSON,
Chief Clerk.

THIRD READING OF HOUSE BILLS.

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 30, nays none, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	Plain
Brown	Jacobson	Regan
Cashel	Johnson	Robinson
Cox	Kirkeide	Sharpe
Crane	Lavayea	Swenson
Devlin	Lewis	Talcott
Fox	Little	Taylor
Geer	Lofthus	Voss
Hagen	Macdonald	Williams
Hale	McArthur	Wipperman

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Gulack	McLean
Carroll	LaMoure	Pierce
Clarke	Main	Simpson
Garnett		

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

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 29, nays none, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Hagen	McLean
Brown	Herbrandson	Plain
Carroll	Jacobson	Regan
Cashel	Johnson	Robinson
Cox	Kirkeide	Sharpe
Crane	Lewis	Talcott
Devlin	Lofthus	Taylor
Fox	Macdonald	Williams
Garnett	Main	Wipperman
Gulack	McArthur	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	LaMoure	Simpson
Clarke	Lavayea	Swenson
Geer	Little	Voss
Hale	Pierce	

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

Mr. Little moved

That a committee of three be appointed by the president to wait upon the governor and inform him that the senate will be

ready to adjourn in 20 minutes; and also to inquire if he has any further messages to communicate to the senate.

Which motion prevailed.

The president appointed Messrs. Little, Cox and Wipperman as such committee.

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 26, nays none, absent and not voting 14.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Herbrandson	Plain
Brown	Jacobson	Regan
Carroll	Johnson	Robinson
Clarke	LaMoure	Swenson
Crane	Lavayea	Talcott
Garnett	Macdonald	Taylor
Geer	Main	Voss
Gulack	McArthur	Williams
Hagen	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Hale	Pierce
Cashel	Kirkeide	Sharpe
Cox	Lewis	Simpson
Devlin	Little	Wipperman
Fox	Lofthus	

Messrs. Benson and Pierce being excused.

So the bill passed and the title was agreed to.

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 20, nays 5, absent and not voting 15.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bacon	Jacobson	McArthur
Carroll	Johnson	Plain
Cashel	Kirkeide	Robinson
Crane	LaMoure	Taylor
Geer	Lofthus	Williams
Hagen	Macdonald	Wipperman
Herbrandson	Main	

Those who voted in the negative were:

Messrs.—

Cox
Gulack

Messrs.—

Lewis
Regan

Messrs.—

Talcott

Absent and not voting:

Messrs.—

Benson
Brown
Clarke
Devlin
Fox

Messrs.—

Garnett
Hale
Lavayea
Little
McLean

Messrs.—

Pierce
Sharpe
Simpson
Swenson
Voss

Messrs. Benson and Pierce being excused.

So the bill was lost.

MESSAGE FROM THE HOUSE.

The following message was received from the house:

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA.

March 6, 1903.

Mr. President:

I have the honor to inform you that the house has adopted the report of the conference committee on

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.

And recedes from its amendments and has passed the bill without amendments.

A. O. ANDERSON,
Chief Clerk.

RESOLUTIONS.

Mr. LaMoure: I desire to offer a resolution of thanks to the lieutenant governor as presiding officer of this body, for his uniform courtesy, fairness in his rulings upon all occasions; for his kindness to the members, in affording them all possible information on all subjects that have arisen during the session; and to tender him our most heartfelt thanks and kind regards.

Mr. LaMoure moved

The adoption of the resolution.

Which motion prevailed.

Mr. Bacon moved

That the senate offer a vote of thanks to the secretary, the assistant secretary and all members of the clerical force at the desk for their uniform efficiency and courtesy during the entire session.

Mr. LaMoure seconded the motion and remarked:

That he had never met, during the thirty years of his connection with legislative matters with so efficient and courteous a lot of gentlemen as have presided over the desk during this session. Personally, he wished to return thanks.

Mr. Bacon's motion prevailed.

Mr. Bacon moved

That the senate offer a vote of thanks to its sergeant at arms and the assistant sergeant-at-arms for their faithful and courteous performance of duties at the present session.

Which motion prevailed.

REPORT OF STANDING COMMITTEE.

The committee on enrolled and engrossed bills made the following report:

Mr. President:

Your committee on enrolled and engrossed bills have examined Senate Bill No. 124,

A bill for an act relating to the report and compensation of road commissioners.

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,

Senate Bill No. 203,

A bill for an act attaching certain unorganized counties and territories to the organized county of Stark for judicial purposes.

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. 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. 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.

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.
And find the same correctly enrolled.

H. E. LAVAYEA,
Chairman.

REFERENCE OF THE JOURNAL.

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

Mr. President:

Your committee on revision and correction of the Journal of the 57th and 58th days have carefully examined the same and have no corrections to report and recommend that the same be approved.

MAYNARD CRANE,
Chairman.

The secretary announced that the president was about to sign Senate Bill No. 78.

A bill for an act to amend section 273 of the Revised Codes of 1899 relating to state board of health.

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. 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.

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,

Senate Bill No. 124,

A bill for an act relating to the report and compensation of road commissioners.

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,

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. 203,

A bill for an act attaching certain unorganized counties and territory to the unorganized county of Stark for judicial purposes.

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. 160,

A bill for an act to amend section 1987 of the Revised Codes of North Dakota.

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.

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. 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.

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. 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. 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. 161,

A bill 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 6391 of the Revised Codes, relating to exemptions.

Also,

House Bill No. 257,

A bill for an act changing and defining the boundaries of Billings county.

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.

Also,

House Bill No. 238,

A bill for an act to license solicitors for benevolent organizations.

Also,

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. 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. 239,

A bill for an act providing for the assessment and collection of collateral succession or inheritance tax.

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. 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. 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. 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. 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. 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,
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.

And the president signed the same in the presence of the senate

REPORT OF STANDING COMMITTEE.

The committee on enrolled and engrossed bills made the following report:

Mr. President:

Your committee on enrolled and engrossed bills respectfully report that

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.

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. 23,

A bill for an act to provide for the maintenance of the industrial school for manual training, located at Ellendale, North Da-

kota, and for making necessary improvements, and making an appropriation therefor.

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 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. 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.

Were delivered to the governor for his approval at the hour of 8:00 o'clock.

Also, that

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. 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. 205,

A bill for an act amending sections 3594 and 3595 of the Revised Codes.

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. 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. 236,

A bill for an act to provide for the adoption of a minor child under specified conditions.

Were delivered to the governor for his approval at the hour of 5:15 o'clock.

Also, that

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. 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. 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. 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.

Were delivered to the governor for his approval at the hour of 7:55 o'clock, March 6, 1903.

Also, that

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. 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. 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. 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.

Were delivered to the governor for his approval at the hour of 3:10 o'clock, March 6, 1903.

Also, that
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. 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.

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. 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.

Also,
Senate Bill No. 124,

A bill for an act relating to the report and compensation of road commissioners.

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.

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

Were delivered to the governor for his approval at the hour of 8:40 o'clock, March 6th, 1903.

H. E. LAVAYEA,
Chairman.

Mr. Simpson moved
That the senate do now adjourn sine die.
Which motion prevailed, and
The senate adjourned sine die.

R. M. TUTTLE,
Secretary.

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, General 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 2,300 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 or 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 appointed (per resolution on page 572 of printed journal) to correct the journal of the sixtieth day and compare the journal of the session with the written journal respectfully submit the following report:

- On page 3, line 4, after the word "votes" add the word "cast."
- On page 4, line 5, correct spelling of the word "McArthur."
- On page 4, line 17, correct spelling of word "Clarke."
- On page 4, line 31, correct spelling of word "Clarke."
- On page 4, line 34, correct spelling of word "McArthur."
- On page 6, line 30, after the word "Pollock" add—"as pages."
- On page 11, line 19, after the word "President," add "of the senate."
- On page 13, line 11, insert the words "which was read the first time."
- On page 13, line 12, insert the words "Mr. Little introduced."
- On page 14, line 19, correct the spelling of the word "January."
- On page 14, line 29, strike out the word "chier."
- On page 14, line 31, correct spelling of the word "Irysh."
- On page 14, line 38, correct the spelling of the word "Guy."
- On page 15, line 5, correct the spelling of the word "January."
- On page 15, strike out all after the word "codes" in lines 36 and 37 and insert in lieu thereof the following: "Relating to the taxation of Insurance Companies."
- On page 15 after line 38 insert the following: "Mr. Plain introduced 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."
- On page 16, line 29, before the word "prolonged" insert the word "recent."
- On page 16, line 31, strike out the word "which" and insert in lieu thereof the word "that."
- On page 19, line 43, after the word "has" insert the word "passed."
- On page 21, after line 20, insert the following heading: "Second Reading of Senate Bills."
- On page 22, line 21, after the word "senate" insert the word "bills."
- On page 23, line 23, strike out the word "adjournment" and insert in lieu thereof the word "adjourn."
- On page 23, line 24, after the word "the" insert the word "house."
- On page 23, line 43, after the word "adjourn" insert the following: "Which motion prevailed, and."
- On page 29, line 14, after the word "Pierce" insert the word "Fox." On the same line correct the spelling of the word "Pierce."
- On page 30, line 35, after the word "Osborn," insert the words "of Dickinson."
- On page 37, line 22, after the word "that" insert the word "at."
- On page 37, line 31, substitute "voce" for "voice."
- On page 37, line 34, after the word "county" insert the words "state of."

- On page 37, line 38, after the word "declared" insert the word "said."
- On page 37, line 39, strike out the words "state of."
- On page 39, line 6, insert the words "which motion prevailed."
- On page 39, line 25, strike out the word "lawful" and insert in lieu thereof the word "unlawful."
- On page 40, line 23, after the word "of" insert the words "clerks of."
- On page 42, line 41, after the word "Legislative" insert the word "Assembly."
- On page 43, line 42, after "1796" insert "1797."
- On page 44, line 32, strike out the word "companies" and insert in lieu thereof the word "policies."
- On page 46, line 24, after the word "all" insert the word "lands."
- On page 46, line 30, after the word "assessed" insert the word "against."
- On page 48, line 17, add the letter "s" after the word "day."
- On page 50, line 19, after the word "Congress" add the words "as delegate."
- On page 53, line 37, insert the word "which" before the word "was."
- On page 57, line 3, strike out the word "House" and insert in lieu thereof the word "Senate."
- On page 60, line 20, after the word "second" insert the word "page."
- On page 60, line 21, after the word "seventeenth" insert the word "line."
- On page 60, line 36, after the word "adding" insert the word "as."
- On page 61, line 37, strike out the word "of" and insert in lieu thereof the word "at."
- On page 63, line 35, insert the word "joint" after the word "the."
- On page 68, line 33, insert the word "for" after the word "providing."
- On page 71, line 35, strike out the word "Lofthus."
- On page 72, line 7, correct the spelling of the word "pioneer."
- On page 73 the proceedings of the 22nd day have been omitted, and the same are copied into the Second volume of the written journal, beginning with page 135 the 20th line.
- On page 73, line 16, strike out the word "resolution" and insert in lieu thereof the word "communication."
- On page 73, line 40, strike out the word "for" and insert in lieu thereof the word "from."
- On page 74, line 22, strike out the figures "140" and insert in lieu thereof the figures "175."
- On page 74, line 32, strike out the word "Robinson" and insert in lieu thereof the word "Johnson."
- On page 75, line 30, strike out the words "bill of stamps" once.
- On page 81, line 10, after the word "institution" insert the word "for"; after the word "feeble" insert the word "minded."
- On page 81, line 13, strike out the word "insert."
- On page 82, line 38, after the word "report" insert the words "of the committee."
- On page 91, line 4, after the word "Benson" insert the word "Geer."
- On page 95, line 35, correct the spelling of the word "villages."
- On page 96, line 1, after the figures 1885 add, "which was read the first time."
- On page 100, line 13, strike out the word "first" and insert in lieu thereof the word "second."
- On page 103, line 8, after the word "ago" insert the word "today."
- On page 104, line 13, after the word "name" insert the word "will."
- On page 106, line 13, after the word "assess" insert the following: "and when so amended recommend that the same do pass. F. S. Talcott, Chairman."
- On page 108, line 26, after the word "first" insert the word "four."
- On page 109, line 15, strike out the word "person."

On page 111, line 18, after the word "created" insert the words "or may hereafter be created."

On page 112, line 21, strike out the word "that" and insert in lieu thereof the word "the."

On page 115, line 18, after the word "cosmetics" insert the word "either."

On page 117, after the word "adjourn" insert the word "today."

On page 119, line 28, after the word "American" insert the word "Exposition."

On page 119, line 29, strike out the word "the" where it appears the second time, and insert in lieu thereof the letter "a."

On page 119, line 41, strike out the word "procure" and insert in lieu thereof the word "secure."

On page 120, line 32, after the word "their" insert the word "effective."

On page 120, line 32, after the word "merits" insert the words "of the products."

On page 120 after the word "county", on the last line, insert the word "committees."

On page 122, line 38, change \$500 to \$200.

On page 124, line 42, change figure "5" to "30."

On page 125, line 17, add "Bismarck, N. D., Feb. 27, 1902."

On page 126, line 35, change second item on line of \$1.50 to \$2.50.

On page 129 after line 5 insert "November 9, Street car fare, Buffalo, (7 months) \$16.50."

On page 129, line 24, after the word "years" insert the words: "I have the honor to be."

On page 130, line 29, strike out "37" and insert in lieu thereof "35."

On page 132, line 43, strike out the word "amended" and insert in lieu thereof the word "corrected."

On page 133, line 15, after the word "committee" insert the words "was adopted."

On page 135, line 29, after the word "Codes" insert : "of North Dakota."

On page 137, line 14, strike out the word "for" after the word "money," and insert in lieu thereof the word "from."

On page 138, line 7, insert the words: "Thirtieth Day."

On page 140, line 8, strike out "1901" and insert in lieu thereof the figures "1891."

On page 143, line 43, strike out the word "claim" and insert in lieu thereof the word "action."

On page 146, line 11, strike out "744" and insert in lieu thereof "774."

On page 148, lines 14 and 15, strike out the words "Pierce and Wipperman" and insert in lieu thereof the words "Macdonald, Taylor."

On page 148, after line 115, insert the following: "Absent and not voting: Messrs. Benson, Clarke, Gulack, Lavayea, Pierce, Wipperman."

On page 153, line 5, strike out "744" and insert in lieu thereof "774."

On page 153, line 28, insert the word "read" after the word "was."

On page 157, line 20, insert the words "so the bill passed, and the "title was agreed to."

On page 161, line 15, after the word "unorganized" insert the word "adjacent."

On page 161, line 23, after the word "report" insert "of the committee."

On page 163, line 34, insert the words "other necessary improvements for the Normal School at Valley."

On page 163, line 40, after the word "qualifications" add the words "of applicants."

On page 164, line 6, strike out the figures "1901" and insert in lieu thereof the figures "1891."

On page 164, line 21, add the words: "And find the same correctly engrossed."

- On page 165, line 28, after the word "the" insert the word "state."
- On page 166, line 1, after the word "first" insert the words "and "second."
- On page 167, after line 30, insert: "The Senate Committee on Appropriations introduced."
- On page 167, after line 39, insert the words: "The Senate Committee on Appropriations introduced."
- On page 168, after line 1, insert: "The Senate Committee on Appropriations introduced."
- On page 168, after line 8, insert: "Mr. LaMoure introduced."
- On page 168, after line 14, insert: "Mr. Robinson introduced."
- On page 168, after line 21, insert: "Mr. Herbrandson introduced."
- On page 168, line 26, strike out the word "of" after the word "Codes" and insert in lieu thereof the word "for."
- On page 168, line 30, insert the following: "The Committee on State Affairs introduced."
- On page 173, line 9, after the word "attorney" insert "on certificates."
- On page 174 strike out lines 1 to 28 inclusive.
- On page 175, line 40, after the word "the" insert: "erection and equipment of necessary additional buildings, and"
- On page 176, line 27, after the word "the" insert: "erection and equipment of necessary additional buildings, and"
- On page 180, after line 36, insert: "Mr. President."
- On page 181, line 33, after the word "Dakota," insert: "of the Revision."
- On page 188, line 41, change 2499 to read 2494.
- On page 189, line 125, strike out figures "24" and insert figures "23" in lieu thereof.
- On page 189, line 26, after the word "section" insert the following: "that the word 'distraigned' be stricken out and the word 'distrain' be substituted in lieu thereof in line 34 of said section."
- On page 190, line 29, after the word "thousand" insert the word "feet."
- On page 192, line 37, strike out "M. Bates" and insert in lieu thereof "Minnie C. Budlong."
- On page 193, line 13, after the words "Codes of" insert the words "State of North Dakota, relating to the."
- On page 193, line 20, after the word "crossing" insert the word "other."
- On page 193, line 38, after the word "exclusively" insert the word "to."
- On page 198, line 18, insert: "Messrs. Benson, Gulack, and Pierce being excused."
- On page 201, line 1, insert the words "First and" before the word "Second."
- On page 201, line 8, insert the words "First and" before the word "Second."
- On page 201, line 15, insert the words "First and" before the word "second."
- On page 201, line 24, insert the words "First and" before the word "second."
- On page 201, line 41, after the word "sold" add "or leased;" on line 42, add, "was read the third time."
- On page 206, line 44, and page 207, lines 1 and 2, strike out the following: "Also strike out the words six months and insert in lieu thereof the words "30 days."
- On page 210, line 9, after the word "also" add "Senate Bill No. 85."
- On page 210, line 14, strike out the word "telegraph" and insert in lieu thereof the word "telephone."
- On page 216, line 4, strike out the word "voting," and insert in lieu thereof the following: "vote and:"

On page 220 strike out lines 13 to 26 inclusive and insert in lieu thereof the following: "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. 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;"

"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."

On page 220, line 29, after the word "committee" insert "appointed."

On page 221, line 15, strike out the figure 9 and insert the figure 5 in lieu thereof.

On page 224, line 18, strike out the word "corporations" and insert in lieu thereof the word "appropriations."

On page 224, line 31, insert the following: "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 second time and referred to the committee on state affairs."

On page 224, line 39, after the word "the" insert the word "joint."

On page 227, line 34, after the word "penitentiary" insert the following: "executioner; prescribing that the death penalty shall only be inflicted within the walls of the North Dakota penitentiary;"

On page 230, insert the word "Sharpe" between lines 22 and 23.

On page 233, after line 39, insert the following: "Messrs. Benson, Guckack and Pierce being excused."

On page 234, line 4, after the word "introduced" insert: "On page 9 before the line 'Senate Bill No. 133' insert 'Mr. Clark introduced'; before the line 'Senate Bill 134' insert: 'The committee on appropriations introduced.'"

On page 235, line 25, correct the spelling of the word "deputies." On same page, line 31, after "Section 1" insert "On page 2."

On page 240, line 23, strike out the words "to whom was referred" and insert the words "have examined."

On page 240, line 34, after the word "of" insert the words "the appointment committee;" on same line after "96" insert "was adopted be reconsidered, which motion prevailed. Mr. Bacon moved that the consideration of the reports on senate bill No. 56."

On page 241, line 42, after the figures "1903" insert "and your favorable consideration thereof is requested."

On page 244, line 40, strike out the words "civil code of procedure" and insert in lieu thereof "code of civil procedure."

On page 250, after line 36, add: "so the bill passed and the title was agreed to."

On page 261, line 19, after the word "any" insert the words "deleterious or."

On page 262, line 25, strike out after the word "of" the words: "any sheriff of the state" and insert in lieu thereof the words "the sheriff of any county of this state."

On page 263, line 14, after the word "act" insert: "Sec. 13 (Repeal) all acts and parts of acts inconsistent with the provisions of this act."

On page 265, on first line, add "and find the same correctly enrolled."

On page 266, line 20, after the word "moved" insert: "that house bill 35, a bill for an act to amend sections 687, 694, 696, 704, 715, 741 and 774 of the Revised Codes relating to education, be referred to committee on education, which motion prevailed. Mr. Little moved"

On page 269, line 7, after the word "fairs" add "special tax."

On page 272, line 1, strike out the figures "1891" and insert in lieu thereof "1901."

On page 275, line 35, strike out the word "and" and insert in lieu thereof the word "in."

On page 285, line 16, after the word "equipment" add "of the building."

On page 285, line 32, after the word "dollars" add "per annum."

On page 287, line 25, after the word "party" add the words "or parties, without the party."

On page 289, line 22, after the word "the" add "state."

On page 291, line 41, before the word "chairman" add "acting."

On page 295, on lines 25, 32 and 38, strike out the words "first and" where they appear, and in the same lines make "times" read "time."

On page 296, line 33, strike out the word "approved" and in lieu thereof insert the word "adopted."

On page 300, line 7, after the word "the" insert the word "State."

On page 305, line 23, after the word "senate" add the words "to be appointed."

On page 307, line 5, after the word "same" add "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."

On page 309, line 35, after the word "on" strike out the words "public health" and insert in lieu thereof the word "agriculture."

On page 311, line 6, after the word "deposit" insert "with the state treasurer."

On page 314, line 11, change the figures "1901" to read "1891."

On page 317, line 6, after the word "petition" add "Northwood, N. D., February 12, 1903."

On page 316, line 1, after the word "district" add "capital, Bismarck, N. D., we the undersigned citizens and firemen of this district."

On page 327, line 2, strike out the figures "377" and insert in lieu thereof the figures "423."

On page 328, line 8, after the word "adopted" add "Mr. LaMoure moved as a substitute that the minority report be adopted."

On page 328, last line after the word "substitute" add the word "motion."

On page 330, line 28, after the word "organization" add the word "composing."

On page 340, line 43, after the word "being" add "interested."

On page 342, line 28, after the figures "22" add "at the end of section 21" and strike out the words "of printed bill."

On page 344, line 26, strike out the figures "2033" and insert in lieu thereof the figures "3023."

On page 348, line 9, after the word "of" add "biennial."

On page 369 strike out lines 31, 32 and 33, and in line 35, after the word "enrolled" add "and engrossed."

On page 371, line 29, add "the following message was received from the Governor."

On page 373, line 28, after the word "we" strike out the words "the undersigned."

On page 375, line 40, after the word "same" add "do pass, Iver Swenson, Chairman. The committee on agriculture made the following report. Mr. President: Your committee on agriculture, to whom was referred House Bill No. 120, A bill for an act to reimburse loaders or shippers of car load freight for all grain doors furnished by them and for material furnished and used for same, have had the same"

On page 376, line 9, after the word "on" strike out the word "education" and insert in lieu thereof the word "elections." In line 11 of same page strike out the word "education" and substitute the word "elections."

On page 377, line 6, make "W. J. Robinson" read "W. H. Robinson."

On page 380 strike out all after the word "act" in lines 5, 6 and 7 and insert in lieu thereof the following: "to amend section 1987 of the Revised Codes of North Dakota."

On page 381, line 15, after the word "the" add the word "organized."

On page 382, line 38, after the word "of" insert the words "United States;" also after the word "senators" in same line add: "by direct vote of the people, and whereas the United States senate has each time refused to consider or vote upon such resolution, thereby denying to the people of the several states a chance to secure this much desired change in the method of electing senators."

On page 390, line 24, after the word "reconsider" strike out the words "and the motion to reconsider was laid on the table."

On page 392, line 20, after the words "relating to" strike out "injuries to other persons" and insert in lieu thereof "other injuries to persons."

On page 396, line 36, after the figures "188" insert: "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. 195."

On page 404, on last line, after "208" add "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; Also Senate Bill No. 207."

On page 413, after the word "also" on last line of page, add "Senate Bill No. 142, A bill for an act to establish a state fair board, prescribe its duties and make an appropriation for state fairs, have had the same under consideration and report that no definite conclusion was reached thereon. Also"

On page 414, line 11, after the word "biennially" add "in line 5 of printed bill, and inserting the words one thousand five hundred dollars annually."

On page 420, line 4, after the word "said" add "employe or"

On page 421, line 34, after the word "motion" strike out the words "prevailed and the report of the committee was adopted" and insert in lieu thereof the words "was lost."

On page 425, line 43, after the word "county" add "also strike out all of line 6 of same section of printed bill, and place in lieu thereof the words 'upon a majority vote of same board the provisions of this law shall be abolished in such county.'"

On page 430, line 32, add: "The following message was received from the house."

On page 434, line 9, after the word "act" insert the word "making."

On page 442, after line 22, insert the following: "Mr. Cashel moved that the senate do now concur in the house amendments to."

On same page strike out line 27. At the end of line 28 add: "as amended by the House."

On page 443, line 6, strike out "amendment was" and insert in lieu thereof "amendments were."

On page 453 strike out all of line 29. On line 35 after the word "committee" add "which motion prevailed."

On page 456, line 41, after the word "of" insert the words "the state of."

On page 460, after the words "and thirty-five others" (last line) insert the following:

Mr. Hale presented the following petition:

Devils Lake, N. D., Feb. 13, 1903.

To the Hon. H. Hale, Capitol, 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.

FRED P. MANN,
And Forty Others.

Mr. Iverson presented the following petition:

To Senator Iver Swenson, Bismarck, N. D.:

We, the undersigned residents of Lakota and vicinity, believe that House Bill No. 204, relating to druggists' permit law, should be passed by the senate, and we earnestly trust that you, as our representative in the senate, will give it your endorsement and support it, and if it comes to a vote that you will not fail to vote favorably for this measure.

MRS. F. W. PETTES,
And Eight Others.

Mr. LaMoure presented the following communication:

St. James, Minn., Feb. 17, 1903.

Hon. Jud LaMoure, Senate Chamber, North Dakota

I desire to express to the members of the North Dakota legislature my warmest gratitude for their touching words of thanks for my volume on the early history of Dakota; and especially do I value their kindly expressions of personal friendship extended to me in my declining years. This tender tribute of remembrance brings a tear to my eye and carries my mind back through the long vista of years to the time when I first occupied a seat in the log house legislature of the infant territory of Dakota. It is nearly half a century ago since I came west of the Mississippi river at a time when there was hardly a house between Dakota and the Pacific ocean. I am now three score years and ten, and am fast approaching the autumn shades of life; and as I look backward over the past, and forward into the future, my mind tries to foretell what this great northern empire will be in another fifty years. The legislators of North Dakota today, like the founders of ancient Rome, are laying the cornerstone of what bids fair to become the richest agricultural empire in the western world. May the light in its temple continue to shine for future generations.

Your old time friend,
MOSES K. ARMSTRONG.

Mr. Lofthus introduced the following petitions:

Park River, N. D., Feb. 12, 1903.

To the Hon. O. E. Lofthus, J. J. Ferguson and Thomas Johnson, of the Third District, Capitol, 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.

JOHN WYLIE,
And Fifty Others.

Langdon, N. D., Feb. 20, 1903.

To the Honorable Members of the Legislature of the State of North Dakota:

We, the undersigned, residents of the state of North Dakota, do hereby petition you to support and vote for Senate Bill No. 162, introduced by Senator Plain, making it a misdemeanor to defraud livermen.

KELLY & M'LOUHLIN,
And Four Hundred Others.

On page 464, lines 22 and 23, after the word "bills" strike out the words "to whom was referred" and in lieu thereof insert "have examined."

On page 468, line 15, after the word "for" insert: "locating and maintaining suitable buildings on a sub-experimental station at or near Minot, in Ward county, and"

On page 468, line 39, after the word "establishing" strike out "a" and insert in lieu thereof the word "the."

On page 473, line 4, after the word "bill" insert "as amended."

On page 476, after line 25, insert "Mr. Cashel moved that the vote by which Senate Bill No. 70 was passed be reconsidered, and the motion to reconsider be laid on the table; which motion prevailed."

On page 478, after line 24, insert: "So the bill passed and the title was agreed to."

On page 480 strike out all of line 27 and in lieu thereof insert "A bill for an act making appropriation for support and maintenance of the North Dakota children's Home Society."

On page 489, line 11, after the figures "1899" add "relating to patients of the hospital for the insane and powers and duties of commissioners of insanity and board of trustees of said hospital."

On page 490, line 17, strike out the word "chairman" and in lieu thereof insert "Secretary."

On page 492, line 38, after the word "empowering" strike out "the" and insert "all."

On page 492, line 42, after the word "state" add "to reinsure a part or all of any risk assumed in insurance corporations not authorized to transact business in this state."

On page 493 strike out all of lines 1 to 26 inclusive.

On page 498, after line 16, insert "and find the same correctly enrolled." In line 20 strike out the word "enrolled" and insert in lieu thereof "en-grossed."

On page 499, line 16, strike out the word "and."

On page 500, after line 6, insert "A bill for an act to amend section 6153 of the Revised Codes of 1899, relating to liability of owners for trespass of animals; which was read the first and second times and referred to the committee on judiciary; Mr. Regan introduced Senate Bill No. 233."

On page 505 strike out all of lines 30 to 35 inclusive.

On page 514, line 25, after the word "violation" add "providing for the inspection and analysis of foods."

On page 515, after line 34, add "A bill for an."

On page 517, line 4, after the word "court" add "without a jury."

On page 517, line 39, after the word "his" add "Compensation and"

On page 522, line 4, from bottom after the word "copies" insert the word "extra."

On page 526, line 12, strike out the word "education" and insert in lieu thereof the word "judiciary."

On page 530, line 7, after the word "petition" add "have had the same under consideration and recommend that the same do pass."

On page 612 strike out two last lines, and first line on page 613, and insert in lieu thereof the following: "A bill for an act to amend section 6153 of the revised Codes of 1899 relating to liability of owner for trespass of animals."

On page 67 strike out lines 14, 15, 16 and 17 and insert in lieu thereof the following: "A bill for an act to amend section 6153 of the Revised Codes of 1899, relating to liability of owner for trespass of animals."

On page 128 strike out lines 24 to 29 inclusive, and insert in lieu thereof the following: 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."

On page 130, after line 22, insert the following: "Also Senate Bill No. 30, A bill for an act to provide an appropriation for the finishing and

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."

On page 11, after line 23, insert the following: "Mr. Little introduced."

On page 19, at top of page, insert the heading: "Second Reading of Senate Bills."

On page 33, line 19, correct spelling of the word "was."

On page 36, line 4, correct spelling of the word "voce."

On page 45, after the 4th line from bottom of page, add: "fit, and for the endowment of said institution, and which shall be located at."

On page 57, line 23, correct spelling of the word "submitted."

On page 63, line 12, insert the word "for" after the word "providing." Correct spelling of the word "formation;" on line 19 correct spelling of word "board."

On page 81, line 13, strike out the word "recommended" and insert in lieu thereof the word "recommend." On 9th line from bottom strike out the word "and" at end of line.

On page 84, line 14, correct spelling of the word "the."

On page 85, line 21, correct spelling of the word "health"; after 4th line from bottom of page insert the words: "other necessary improvements for the Normal school at Valley."

On page 90, 2nd line from bottom of page correct spelling of the word "precinct."

On page 108 take out line 31 and insert it between lines 34 and 35; correct spelling of the word "Revised" on lines 30 and 32. After 3rd line from bottom of page add "nances."

On page 110 strike out the first word on 4th line.

On page 117, line 8, from bottom of page, correct spelling of the word "telephone."

On page 140, after the title to House Bill 51, add: "Was read the first and second times and referred to the com."

On page 143, line 25, correct spelling of the word "taxing."

On page 150, line 1, correct spelling of the word "far."

On page 153, line 12, from bottom of page at end of line, add "other necessary improvements for the Normal school at Valley"

On page 155, line 14, from bottom of page after the word "first" insert the words "and second."

On page 156, after line 14, insert: "Mr. Lavayea introduced:" After line 19 insert: "Mr. Crane introduced:" After line 26 insert: "Mr. Clarke introduced:" After line 36 insert: "Mr. Clarke introduced:" After line 40 insert: "Mr. Clarke introduced:"

On page 157, at top of page, insert: "The Senate Committee on appropriations introduced:" After line 8 insert: "The Senate Committee on appropriations introduced:" After line 13 insert: "The Senate Committee on Appropriations introduced:" After line 19 insert: "Mr. La-Moure introduced:" After line 25 insert: "Mr. Robinson introduced:" After line 31 insert: "Mr. Herbrandson introduced:" After line 39 insert: "The Committee on State Affairs introduced:"

On page 158, 5th line from bottom of page, correct spelling of the word "reconsidered."

On page 161, line 12, strike out the figure 3 and insert in lieu thereof the figure "4."

On page 163, after line 25, insert: "erection and equipment of necessary additional buildings, and"

On page 164, line 5, after the word "the" insert: "erection and equipment of necessary additional buildings and"

On page 164, line 3, from bottom of page, after the word "the" insert the word "peace."

On page 168, line 9, from bottom of page correct spelling of "engrossed."

On page 173, line 13, correct spelling of word "revised."

On page 177, line 3, from bottom of page add "s" to the word "Code."

On page 183, line 2, from bottom of page change 33 to 35; on bottom line change figure 7 to 5.

On page 184, 17th line from bottom of page, insert the words: "First and" before the word "Second." On 12th line from bottom of page insert the words: "First and" before the word "Second." On line 7 from bottom of page insert the words: "First and," before the word: "Second."

On page 185, line 10, insert the letters "nd" after the letter "a" before the word "final."

On page 186, in line 3, strike out "eb" and insert in lieu thereof "be." On line 6 strike out the word "was" and insert in lieu thereof the word "were."

On page 192, line 13, from bottom, correct spelling of the word "revised."

On page 196, line 10, correct spelling of the word "for."

On page 197, bottom line, strike out the word "that"; change the word "be" to "was."

On page 198, line 13, from bottom, strike out the words "Revised Codes of." On line 4 from bottom correct spelling of word "the."

On page 200 strike out all after and including line 4 from bottom of page to and including line 8, on page 201, and insert in lieu thereof the following:

House Bill No. 9, A bill for an act to amend section 342 of the Revised Codes of 1899, relating to the approval of bonds; Also 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; 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."

On line 15, from bottom of page, strike out "9" and insert in lieu thereof "5."

On page 203, line 11, after the word "period" insert the word "of."

On page 204, line 4, from bottom of page, strike out the words "committee on" where they first appear on said line.

On page 205, line 7, correct spelling of "year."

On page 210 strike out lines 7 to 11 inclusive and insert in lieu thereof: "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.

On page 215, line 28, correct the spelling of the word "committee." On line 32 correct the spelling of the word "under."

On page 217, the first word in line 1 should be "the." Line 24 correct the spelling of the word "committee."

On page 218, line 5, correct the spelling of the word "taxing." On line 15 correct the spelling of the word "printed." On line 21, after the word "committee," strike out "be" and substitute "was."

On page 220, line 7, strike out the figure "4" and insert in lieu thereof "10."

On page 222, line 37, strike out the figure "9" and insert in lieu thereof the figure "7."

On page 225, line 17, strike out the figures "36" and insert in lieu thereof the figures "33."

On page 226, line 30, strike out the word "which." On line 32 strike out the figures "33" and insert in lieu thereof "32," and in line 33 strike out the figure "7" and insert in lieu thereof the figure "8."

On page 227, after line 1, add "so the bill passed and the title was agreed to. On line 32 strike out the word "and" and insert in lieu thereof the word "which."

On page 231, line 23, strike out the word "seventh" and insert in lieu thereof the word "eighth." On line 27 after the word "to" insert the word "do."

On page 233, line 11, after the word "Dakota" insert "of the year 1899."

On page 237, line 45, correct the spelling of the word "experiment."

On page 239, after line 16, insert the words "and find the same correctly engrossed."

On page 240, after the figures "35," insert: "A bill for an act to amend sections 687, 694, 704, 715, 741 and 774 of the Revised Codes, relating to education."

On page 242, line 10, correct the spelling of the word "provides."

On page 245, line 23, strike out the figures "1891" and insert in lieu thereof "1901."

On page 251, line 1, after the word "furnishing" strike out the words "of the."

On page 258 lines 15 and 16, should be transposed.

On page 260 on 9th line from bottom, add the letter "s" to the word "school."

On page 261, line 27, correct the spelling of the word "for."

On page 262, line 17, before the word "chairman" add "acting."

On page 265, line 5, after the word "State" add "of North Da." In lines 32, 38 and 44 strike out the words "first and" and in the same lines make the word "times" read "time."

On page 269, line 28, after the word "for" add "other necessary improvements for the Normal Schools of Valley."

On page 271, line 3, change the word "senate" to read "house."

On page 273, line 17, correct the spelling of the word "house." Change figures in date line from "20" to "13."

On page 274, line 13, after the word "Dakota" add "which the House has passed and your favorable consideration of the same is requested."

On page 283, line 19, strike out the words "uplift or" and insert in lieu thereof the words "uplifting of."

On page 291, lines 25 and 42, correct the spelling of the word "committee."

On page 292, line 7, strike out the word "speaker" and insert in lieu thereof the word "president."

On page 312, line 42, correct the spelling of the word "year."

On page 314, line 5, strike out a doublet "of."

On page 319, line 8, after the word "roll" strike out the word "being" and insert in lieu thereof the word "was."

On page 323, next to the last line on page, correct spelling of the word "absent."

On page 327, line 43, make the figures "899" read "1899."

On page 329 strike out the line "Senate Bill 58" where it appears and the two following lines, and insert in lieu thereof the following: "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."

On page 330, line 14, after the word "enrolled" add "and engrossed."

On page 331, after line 10, add: "other necessary improvements for the normal schools at Valley"

On page 335, line 37, strike out the word "education" and substitute the word "elections" therefor, and make the same correction in line 39.

On page 338, line 25, substitute the word "was" for "be." Line 41 correct the spelling of the word "the."

On page 339, line 29, make "W. J. Robinson" read "W. H. Robinson."

On page 348, line 18, after the word "reconsider" strike out "and the motion to reconsider be laid on the table."

On page 353, line 42, make the figures "139" read "130."

On page 358 transpose lines 10 and 11.

On page 362 transpose lines 27 and 28.

On page 365, line 38, after the word "printing" add "Have had the same under consideration and recommend that"

On page 367, line 7, correct the spelling of the word "read."

On page 371, line 24, make the word "recommended" read "recommend."

On page 380, line 30, make the word "recommended" read "recommend."

On page 382, line 15, correct the spelling of the word "Lofthus."

On page 385, on next to the last line after the word "engrossed" insert the word "bill."

On page 395, transpose the two lines at bottom of page to precede line reading: "Senate Bill No. 4." Strike out the line "was read the third time." To the line reading "The question being upon the final passage of the bill" add the words "as amended by the House." Add the letter "s" to the word "amendment" on third line from bottom.

On page 404 at top of page strike out the line "House Bill 6" and five following lines, and insert in lieu thereof the following: "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." Strike out line 12 from bottom.

On page 422, line 8, strike out the doublet "and erecting."

On page 424, line 10, strike out the word "House" and substitute the word "senate" therefor.

On page 431, line 35, change the figure "8" to "7."

On page 432, after line 37, add "a bill." Strike out all of line 42 and insert in lieu thereof: "A bill for an act making appropriation for support and maintenance of the North Dakota Children's Home Society."

On page 440, after the line 38, add "pital for the insane and powers and duties of the commissioners of insanity and board of trustees of said hospital" and strike out all of line 29. After line 33 add "also."

On page 448, after line 33, add "and find the same correctly enrolled." In line 38 strike out the word "enrolled" and in lieu thereof insert "engrossed."

On page 449, line 39, strike out the word "and."

On page 450 strike out all of lines 23, 24 and 25 and in lieu thereof insert: "A bill for an act to amend section 6153 of the Revised Codes of 1899, relating to liability of owner for trespass of animals."

On page 463, line 27, correct spelling of "February" and change figure "6" to "8."

On page 465, after line 14, add "Also"

On page 471, line at top of page, correct spelling of "Saturday." At beginning of line 10 insert "A bill for an"

On page 530, after line 6, from bottom of page, change figures "244" to "242."

On same page strike out lines 5, 4 and 3 from bottom of page and insert in lieu thereof the following: "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."

On page 532, on last line of page, correct spelling of "boundaries."

On page 534, 11th line from bottom of page, strike out figures 26 and insert in lieu thereof the figure "3."

On page 537, line 22, correct spelling of the word "discharges."

On page 539, line 13, strike out all after the word "act" in said line and insert in lieu thereof the following: "making appropriation for the support and maintenance of the North Dakota Children's Home Society."

On page 541, line 21, substitute the word "senate" for "house," and strike out all of lines 22 to 25 inclusive and insert in lieu thereof the following: "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."

On page 551, 9th line from bottom of page, correct spelling of "has."

On page 555, line 12, strike out the word "and" and insert in lieu thereof the word "an."

On page 557, line 10, from bottom of page, correct spelling of the word "inspections."

On page 561, line 27, add after the word "from" the words "other states."

On page 569, line 9 from bottom of page, correct spelling of the word "Little."

On page 573, line 25, turn line over.

On page 574, at the end of second line add "Senate Bill 101."

On page 576, after line 13 from bottom of page, insert the line: "Third Reading of Senate Bills."

On page 577, 10th line from bottom, change "being" to "having." After line 8, from bottom of page, insert the line: "Third reading of House Bills."

On page 582, line 22, strike out the word "of" at beginning of line. On line 7 from bottom of page correct spelling of word "each."

On page 583, line 3, correct spelling of "Burleigh."

On page 586, line 7, correct spelling of "Senate." On line 8 insert "A Bill" before the word "for."

On page 589, line 31, after the word "session" add "laws of 1901, relating to the Agricultural and Geological Survey." Strike out last four lines on page.

On page 590 strike out first four lines of page.

On page 596 transpose lines 33 and 34.

On page 597, 16th line from bottom, change "was" to "were."

On page 598, 3rd line from bottom, strike out "engrossed" and insert in lieu thereof "enrolled."

On page 599, line 10, strike out word "none" and insert in lieu thereof the figure "3"; line 11 strike out "6" and insert in lieu thereof "3."

On page 603, after line 10, add the following: "And the same were signed in the presence of the senate."

On page 604, line 10, insert the word "appropriation" before the word "bills."

On page 609, top of page insert word "also."

On page 613, between lines 15 and 16 from bottom, add the word "also."

On page 629, line 14, correct spelling of word: "McKenzie."

On page 623 strike out all reference to S. B. 95, and letters "poned" after title.

On page 624, line 9, strike out 1889 and insert in lieu thereof 1899.

On page 624, line 2 from bottom, correct spelling of the word "receiving." On bottom line correct spelling of word "thereof."

On page 625 strike out lines 5, 6, 7 and 8. Strike out lines 23, 24 and 25 and insert in lieu thereof the following: "A bill for an act to amend section 6153 of the Revised Codes of 1899, relating to liability of owner for trespass of animals."

On page 636 strike out 13th line from bottom of page.

On page 640, line 2, correct spelling of "Crane." In line 6 add the word "Messrs" after the word "allow."

On page 652 strike out the Message from the House. (See page 659.)

On page 673 correct title of Senate Bill No. 78 where it appears for the second time on said page, making it correspond with lines 3 and 4 of said page.

On page 675 strike out lines 9, 8, 7, 6 and 5 from bottom of page and insert in lieu thereof the following: "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."

On page 677, after line 14, insert the following: "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. 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."

Mr. President:

Your committee beg to report that with the foregoing corrections they believe the written and printed journals of the Eighth Legislative Assembly are substantially correct.

GEO. L. TOWNES.
H. E. LAVAYEA,
R. M. TUTTLE,

INDEX.

RECORD OF BILLS IN THE SENATE.

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.

Introduced, 11.

Read twice and referred, 15.

Reported back, 47.

Passed the senate, 59.

Received from house with amendments, 194.

Amendments concurred in, 201.

Other action, 221, 266.

Senate Bill No. 2—(Simpson)

A bill for an act entitled "an act fixing the salaries of judges of the district court."

Introduced, 11.

Read twice and referred, 15.

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."

Introduced, 11.

Read twice and referred, 19.

Reported back with amendments, 358.

Passed the senate, 389.

Received from house, 554.

Other action, 566, 567, 615.

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."

Introduced, 11.

Read twice and referred, 15.

Reported back with amendments, 79.

Passed the senate, 110.

Received from house with amendments, 385.

Amendments concurred in, 395.

Other action, 423, 493, 495.

Senate Bill No. 5—(Little)

A bill for an act to amend section 2 of chapter 100 of the Laws of 1901 in relation to the transaction of business by fire insurance companies or associations through authorized insurance companies.

Introduced, 11.

Read twice and referred, 15.

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.

Introduced, 13.

Read twice and referred, 15.

Reported back with amendments, 46.

Passed the senate, 65.

Received from house, 105.

Other action, 169, 165.

Senate Bill No. 7—(Voss)

A bill for an act to amend section 3127 of the Revised Codes, relating to the taxation of insurance companies.

Introduced, 13.

Second reading and referred, 19.

Reported back, 288.

Passed the senate, 322.

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.

Introduced, 13.

Read twice and referred, 19.

Reported back, 40.

Passed the senate, 53.

Received from house, 176.

Other action, 200, 221.

Senate Bill No. 9—(Lewis)

A bill for an act providing for the creating and investment of a sinking fund by the state treasurer whenever state educational or other state institutions issue bonds.

Introduced 13.

Read twice and referred, 19.

Senate Bill No. 10—(Johnson)

A bill for an act making it unlawful to shoot or hunt on the lands of another without permission.

Introduced, 14.

Read twice and referred, 15.

Reported back, 80.

Senate Bill No. 11—(Johnson)

A bill for an act to prevent the extermination of deer.

Introduced, 14.

Read twice and referred, 15.

Reported back, 80.

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 by such taxation.

Introduced, 14.

Read twice and referred, 15.

Reported back with amendments, 100.

Passed the senate, 139.

Received from house, 464.

Other action, 493, 531.

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.

Introduced, 18.

Read twice and referred, 25.

Reported back with amendments, 46.

Passed the senate, 71.

Received from the house, 166.

Other action, 163, 169, 195.

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.

Introduced, 18.

Read twice and referred, 26.

Reported back, 40.

Passed the senate, 54.

Received from house with amendments, 194.

Amendments concurred in, 195.

Other action, 200, 221.

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.

Introduced, 18.

Read twice and referred, 26.

Reported back, 82.

Passed the senate, 97.

Received from house, 542.

Other action, 563, 616.

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.

Introduced, 18.

Read twice and referred, 26.

Reported back with amendments, 55.

Passed the senate, 398.

Received from house, 595.

Other action, 364, 602, 620.

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.

Introduced, 18.

Read twice and referred, 26.

Reported back, 55.

Passed the senate, 72.

Received from house, 220.

Other action, 239, 330, 266.

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 there-to.

Introduced, 18.

Read twice and referred, 26.

Reported back with amendments, 357.

Passed the senate, 388.

Received from house with amendments, 661.

Amendments concurred in, 662.

Other action, 593, 672, 680.

Senate Bill No. 19—(Pierce)

A bill for an act to amend section 172 of the Revised Codes relating to the investment of the permanent school fund.

Introduced, 25.

Read twice and referred, 42.

Reported back, 234.

Lost, 297.

Senate Bill No. 20—(Pierce)

A bill for an act to amend section 6613 of the Revised Codes, relating to fees and salaries of clerks of county courts.

Introduced, 25.

Read twice and referred, 38.

Senate Bill No. 21—(Lavayea)

A bill for an act authorizing and empowering the governor of the state to remove the sheriff of any county for failure to perform his duty in cases of lynching and suppression of mob violence.

Introduced, 25.

Read twice and referred, 38.

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.

Introduced, 25.

Read twice and referred, 38.

Reported back with amendments, 366.

Passed the senate, 400.

Received from the house, 595.

Other action, 605, 620.

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.

Introduced, 30.

Read twice and referred, 50.

Reported back with amendments, 359.

Passed the senate, 391.

Received from the house, 631.

Other action, 653, 677.

Senate Bill No. 24—(Lewis)

A bill for an act to establish a topographic, geologic, agricultural, and general economic and natural history survey of the state in two divisions, providing for a board of control, making an appropriation therefor, and providing a system of auditing accounts.

Introduced, 31.

Read twice and referred, 50.

Senate Bill No. 25—(Lewis)

A bill for an act in relation to the defense of suicides in suits brought upon life insurance policies.

Introduced, 31.

Read twice and referred, 42.

Reported back with amendments, 103.

Passed the senate, 145.

Received from house, 499.

Other action, 508, 510.

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.

Senate Bill No. 26—Cont'd.

Introduced, 31.
 Read twice and referred, 50.
 Reported back with amendments,
 236.
 Passed the senate, 266.
 Received from house, 463.
 Other action, 492, 531.

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.
 Introduced, 31.
 Read twice and referred, 51.
 Reported back with amendments, 81.
 Passed the senate, 111.
 Received from house with amendments, 535.
 Amendments concurred in, 512.
 Other action, 561, 562.

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.
 Introduced, 31.
 Read twice and referred, 43.
 Reported back with amendments, 56.
 Passed the senate, 64.
 Received from house, 106.
 Other action, 165, 168.

Senate Bill No. 29—(Cashel)

A bill for an act authorizing the appointment of commissioners of deeds and declaring an emergency to exist.
 Introduced, 31.
 Read twice and referred, 51.
 Reported back with amendments, 91.
 Passed the senate, 179.
 Received from house 542.
 Other action, 563, 616.

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.

Senate Bill No. 30—Cont'd.

Introduced, 31.
 Read twice and referred, 51.
 Reported back with amendments, 363.
 Passed the senate, 397.
 Received from house, 631.
 Other action, 672, 677.

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.
 Introduced, 32.
 Read twice and referred, 51.
 Reported back with amendments, 367.
 Passed the senate, 402.
 Received from the house, 632.
 Other action, 653, 677.

Senate Bill No. 32—(Bacon)

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, 32.
 Read twice and referred, 38.

Senate Bill No. 33—(Wipperman)

A bill for an act to determine the heirship, to the government homestead or tree claim of a deceased homestead settler or timber culture claimant, in cases where the heirs of such claimant, or some of them, make the final proof, and to assign and distribute the lands entered to the heirs so determined and to make a record of such determination of heirship and distribution and assignment of such lands.
 Introduced, 32.
 Read twice and referred, 51.

Senate Bill No. 34—(Hale)

A bill for an act amending section 404, Revised Codes North Dakota, 1899, defining the boundaries and terms of court of the Second judicial district.
 Introduced, 32.
 Read twice and referred, 42.
 Reported back with amendments, 81.

Senate Bill No. 35—(Hale)

A bill for an act establishing the Eighth judicial district and defining the boundaries thereof, and terms of court therein, and providing for the appointment and election of a judge therefor.
 Introduced, 32.
 Read twice and referred, 51.
 Reported back, 81.

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.
 Introduced, 32.
 Read twice and referred, 52.
 Reported back, 80.
 Passed the senate, 111.
 Received from house, 300.

Senate Bill No. 37—(LaMoure)

A bill for an act to amend section 3094 of chapter 14 of the Revised Codes of 1899, relating to insurance companies.
 Introduced, 33.
 Read twice and referred, 52.

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.
 Introduced, 33.
 Read twice and referred, 43
 Reported back with amendments, 378.
 Passed the senate, 458.
 Received from house, 624.

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.
 Introduced, 33.
 Read twice and referred, 52.
 Reported back with amendments, 169.
 Passed the senate, 208.
 Received from house, 535.
 Other action, 561, 562.

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.
 Introduced, 37.
 Read twice and referred, 52.
 Reported back with amendments, 360.
 Passed the senate, 392.
 Received from house, 635.
 Other action, 672, 677.

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.
 Introduced, 37.
 Read twice and referred, 52.
 Reported back, 376.
 Passed the senate, 479.
 Received from house, 622.

Senate Bill No. 42—(Lavayea)

A bill for an act to repeal section 7594 of the Revised Codes of North Dakota, relating to druggists' permits.
 Introduced, 37.
 Read twice and referred, 52.
 Reported back, 377.
 Lost, 479.
 Other action, 487.

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.

Introduced, 37.
Read twice and referred, 52.
Reported back, 152.
Passed the senate, 179.
Received from house, 252.
Other action, 260, 330, 282.

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.

Introduced, 37.
Read twice and referred, 53.
Reported back, 102.
Passed the senate 146.
Received from house, 271.
Other action, 292, 331, 332.

Senate Bill No. 45—(McLean)

A bill for an act to amend section 653 of the Revised Codes of 1899, relating to qualifications of county superintendent of schools.

Introduced, 38.
Read twice and referred, 53.
Reported back, 234.
Lost, 298.

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.

Introduced, 38.
Read twice and referred, 53.
Reported back, 132.
Passed the senate, 160.
Received from house, 623.

Senate Bill No. 47—(Bacon)

A bill for an act to amend section 479 of the political code of the state of North Dakota for the year 1899.

Introduced, 41.
Read twice and referred, 57.
Reported back with amendments, 92.

Senate Bill No. 47—Cont'd.

Passed the senate, 122.
Received from house with amendments, 463.
Amendments concurred in, 515.
Other action, 493, 544, 567.

Senate Bill No. 48—(Jacobson)

A bill for an act to provide for the protection of the health, lives and interests of the coal miners of North Dakota, and to provide for the inspection of all coal mines in this state, and the conducting and operating of coal mines, and to create a state inspector of mines.

Introduced, 41.
Read twice and referred, 107.

Senate Bill No. 49—(Cashel)

A concurrent resolution to amend the constitution of the state of North Dakota by the eighth legislative assembly, and by it submitted to the ninth legislative assembly.

Introduced, 41.
Read twice and referred, 58.

Senate Bill No. 50—(Cashel)

A bill for an act requiring the superintendent of public instruction to publish and distribute the proceedings of the North Dakota educational association.

Introduced, 41.
Read twice and referred, 58.
Reported back, 82.
Passed the senate, 97.
Received from house, 270.
Other action, 292, 331, 332.

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 railways, and providing for condemnation proceedings in connection therewith, and to repeal sections 1796, 1797 and 1799 of the Revised Codes North Dakota, 1899.

Introduced, 42.
Read twice and referred, 62.
Reported back with amendments, 101.
Passed the senate, 144.
Received from house, 386.
Other action, 423, 494, 495.

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.

Introduced, 42.

Read twice and referred, 58.

Reported back with amendments, 82.

Passed the senate, 112.

Received from house, 270.

Other action, 292, 331, 332.

Senate Bill No. 53—(Johnson)

A bill for an act to amend and reenact chapter 165 of the session laws of the state of North Dakota for the year 1901, relating to the rights of purchasers of land at sale for the non-payment of taxes.

Introduced, 42.

Read twice and referred, 58.

Senate Bill No. 54—(Gulack)

A bill for an act to amend section 5605 of the Revised Codes of 1899, relating to appeals in civil actions.

Introduced, 42.

Read twice and referred, 62.

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.

Introduced, 48.

Read twice and referred, 62.

Reported back with amendments, 289.

Passed the senate, 429.

Received from house, 625.

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.

Introduced, 48.

Read twice and referred, 62.

Reported back, 152.

Passed the senate 183.

Received from house, 300.

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.

Introduced, 48.

Read twice and referred, 62.

Reported back, 152.

Passed the senate, 181.

Received from house, 541.

Other action, 563, 616.

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.

Introduced, 48.

Read twice and referred, 62.

Reported back, 152.

Passed the senate, 182.

Received from house, 613.

Other action, 625, 679.

Senate Bill No. 59—(Crane)

A bill for an act to prohibit the sale of goods, wares and merchandise in certain cases by hawkers, peddlers and others, without first obtaining a license therefor; authorizing the governing bodies of cities, villages and counties to establish license tax rates and grant licenses, and prescribing penalties for a violation of its provisions.

Introduced, 49.

Read twice and referred, 64.

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.

Introduced, 49.

Read twice and referred, 63.

Reported back with amendments, 217.

Passed the senate, 245.

Received from house with amendments, 543.

Amendments concurred in, 545.

Other action, 563, 610.

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.
 Introduced, 49.
 Read twice and referred, 63.
 Reported back with amendments, 90.
 Passed the senate, 122.
 Received from house, 301.
 Other action, 313, 332.

Senate Bill No. 62—(Lofthus)

A bill for an act to amend chapter 205 of the session laws of 1901, being section 2591 of the Revised Codes of 1899, relating to the meetings of township board of supervisors.
 Introduced, 40.
 Read twice and referred, 63.

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.
 Introduced, 49.
 Read twice and referred, 58.
 Reported back with amendments, 133.
 Passed the senate, 158.
 Received from house, 250.
 Other action, 260, 281, 330.

Senate Bill No. 64—(Regan)

A bill for an act to repeal chapter 83 of the session laws of 1901.
 Introduced, 42.
 Read twice and referred, 62.
 Reported back, 80.
 Passed the senate, 97.
 Received from house, 300.

Senate Bill No. 65—(Crane)

A bill for an act to establish a state fair board, prescribe its duties and making an appropriation for state fairs.
 Introduced, 49.
 Read twice and referred, 58.
 Reported back, 368.
 Lost, 404.

Senate Bill 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.
 Introduced, 50.
 Read twice and referred, 64.
 Reported back, 62.
 Passed the senate, 138.
 Received from house, 271.
 Other action, 292, 332.

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.
 Introduced, 50.
 Read twice and referred, 59.
 Reported back, 68.
 Passed the senate, 86.
 Received from house, 124.
 Other action, 169, 194.

Senate Bill No. 68—(Cashel)

A concurrent resolution providing for the changing of the location of the institution for the feeble minded from Jamestown, N. D., to Grafton, N. D.
 Introduced, 50.
 Read twice and referred, 53.
 Reported back with amendments, 79.
 Passed the senate, 180.
 Received from house, 500.
 Other action, 509, 510.

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 improvements thereto.
 Introduced, 57.
 Read twice and referred, 63.
 Reported back with amendments, 364.
 Passed the senate, 397.
 Received from house, 634
 Received from house with amendments, 586.
 Amendments concurred in, 650.
 Other action, 672, 677.

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 qualified electors for adoption or rejection.

Introduced, 61.
Read twice and referred, 63.
Reported back, 335.
Passed the senate, 429.

Senate Bill No. 71—(Lofthus)

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.

Introduced, 57.
Read twice and referred, 64.
Reported back, 172.

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.

Introduced, 57.
Read twice and referred, 64.
Reported back with amendments, 102, 218.
Passed the senate, 246.
Received from house, 336.
Other action, 494, 495.

Senate Bill No. 73—(LaMoure)

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.

Introduced, 61.
Read twice and referred, 64.
Reported back, 67.
Passed the senate, 71.
Received from house, 106.
Other action, 165, 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.

Introduced, 61.
Read twice and referred, 85.

Senate Bill No. 74—(Cont.)

Reported back with amendments, 215, 232.
Passed the senate, 247.
Received from house, 611.
Other action, 608, 621.

Senate Bill No. 75—(Sharpe)

A bill for an act providing for a system of primary elections for nominating candidates for election by popular vote.

Introduced, 61.
Read twice and referred, 96.
Reported back with amendments, 239.

Senate Bill No. 76—(Main)

A bill for an act to prohibit the use and manufacture of cannon fire crackers.

Introduced, 61.
Read twice and referred, 96.
Reported back with amendments, 190.
Passed the senate, 225.
Received from house, 623.

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.

Introduced, 61.
Read twice and referred, 85.
Reported back with amendments, 233.
Passed the senate, 268.
Received from house, 498.
Other action, 509, 510.

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.

Introduced, 62.
Read twice and referred, 108.
Reported back with amendments, 187.
Passed the senate, 390.
Received from house, 652.
Other action, 358, 673, 680.

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

Senate Bill No. 79—(Cont.)

for the inmates of said reform school.
 Introduced, 68.
 Read twice and referred, 85.
 Reported back with amendments, 131.
 Passed the senate, 160.
 Received from house, 250.
 Other action, 260, 282, 330.

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.
 Introduced, 69.
 Read twice and referred, 85.
 Reported back, 131.
 Passed the senate, 158.
 Received from house, 251.
 Other action, 260, 281, 330.

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 erection and equipment of necessary buildings and for other necessary improvements for the normal schools at Valley City and Mayville.
 Introduced, 69.
 Read twice and referred, 85.
 Reported back with amendments, 131.
 Passed the senate, 163.
 Received from house, 251.
 Other action, 260, 281, 331.

Senate Bill No. 82—(Cox)

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 disposi-

Senate Bill No. 82—(Cont.)

tion of money received from the sale of permits and enacting other provisions relating thereto and providing penalties for violation thereof.
 Introduced, 69.
 Read twice and referred, 127.
 Reported back, 151.
 Passed the senate, 181.
 Received from house with amendments, 499.
 Amendments concurred in, 490.
 Other action, 509, 510.

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.
 Introduced, 78.
 Read twice and referred, 86.
 Reported back, 102.
 Passed the senate, 145.
 Received from house, 300.

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.
 Introduced, 69.
 Read twice and referred, 86.
 Reported back, 102.
 Passed the senate, 145.
 Received from house, 612.
 Other action, 630, 679.

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.
 Introduced, 70.
 Read twice and referred, 86.
 Reported back, 192.
 Passed the senate, 226.
 Received from house, 541.
 Other action, 563, 616.

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.
 Introduced, 70.
 Read twice and referred, 86.
 Reported back with amendments, 103.
 Passed the senate, 147.
 Received from house, 625.

Senate Bill No. 87—(Cashel)

A bill for an act to amend section 343a of the Revised Codes of 1899, relating to county treasurers' official bond.
 Introduced, 70.
 Read twice and referred, 87.
 Reported back, 188.

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.
 Introduced, 70.
 Read twice and referred, 108.
 Reported back with amendments, 198.
 Passed the senate, 227.
 Received from house, 541.
 Other action, 654, 617.

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.
 Introduced, 69.
 Read twice and referred, 108.
 Reported back with amendments, 132.
 Passed the senate, 162.
 Received from house, 541.
 Other action, 564, 617.

Senate Bill No. 90—(LaMoure)

A bill for an act repealing sections 7460a and 7460b, of the Revised Codes of 1899.
 Introduced, 83.
 Read twice and referred, 108.
 Reported back, 132.
 Passed the senate, 161.
 Received from house, 624.

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.
 Introduced, 83.
 Read twice and referred, 127.
 Reported back, 190.
 Passed the senate, 223.
 Received from house, 624.

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 and providing the times at which such duties shall be performed.
 Introduced, 84.
 Read twice and referred, 108.
 Reported back, 173.
 Received from house, 624.

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.
 Introduced, 84.
 Read twice and referred, 108.
 Reported back, 190.
 Passed the senate, 223.
 Received from house, 541.
 Other action, 564, 616.

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.
 Introduced, 84.
 Read twice and referred, 109.
 Reported back with amendments, 190.
 Passed the senate, 224.
 Received from house, 623.

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.

Introduced, 84.

Read twice and referred, 127.

Reported back with amendments, 289.

Passed the senate, 323.

Received from house, 622.

Senate Bill No. 96—(Bacon)

A bill for an act to amend section 1 of chapter 143 of the session laws of 1901, relating to an act to define the senatorial and representative districts of North Dakota and prescribe the number of senators and representatives therein.

Introduced, 84.

Read twice and referred, 127.

Reported back, 214.

Lost, 214.

Senate Bill No. 97—(Johnson)

A bill for an act making an appropriation for the promotion of immigration.

Introduced, 84.

Read twice and referred, 109.

Lost, 357.

Senate Bill No. 98—(Simpson)

A bill for an act to appropriate money to Patrick McGinley for board and lodging furnished jurors in criminal cases arising in the unorganized county of Allred in the year A. D. 1897.

Introduced, 84.

Read twice and referred, 109.

Reported back, 357.

Lost, 357.

Senate Bill No. 99—(Gulack)

A concurrent resolution proposing an amendment to section 217 of the constitution of the state of North Dakota.

Introduced, 85.

Read twice and referred, 127.

Reported back, 375.

Lost, 375.

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.

Introduced, 93.

Read twice and referred, 127.

Reported back with amendments, 191.

Passed the senate, 225.

Received from house with amendments, 542, 586.

Amendments concurred in, 572.

Other action, 550, 592, 617.

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.

Introduced, 93.

Read twice and referred, 127.

Reported back, 192.

Passed the senate, 226.

Received from house with amendments, 584.

Amendments concurred in, 574.

Other action, 592, 617.

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.

Introduced, 93.

Read twice and referred, 128.

Reported back with amendments, 171.

Passed the senate, 208.

Received from house, 542.

Other action, 562, 617.

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

Senate Bill No. 103—(Cont.)

station at Edgeley and erecting suitable buildings thereon and locating a sub-station at or near Dickinson in Stark county.

Introduced, 93.

Read twice and referred, 128.

Reported back with amendments, 369.

Passed the senate, 403.

Received from house, 586.

Other action, 598, 619.

Senate Bill No. 104—(Lewis)

A bill for an act to amend sections 4791, 4792 and 4799 of the Revised Codes of 1899, relating to mechanics' liens.

Introduced, 93.

Read twice and referred, 128.

Reported back with amendments, 337.

Lost, 337.

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.

Introduced, 93.

Read twice and referred, 128.

Reported back with amendments, 475.

Passed the senate, 481.

Other action, 592, 617.

Senate Bill No. 106—(Johnson)

A bill for an act for the creation of corporations for the purpose of establishing and maintaining creameries.

Introduced, 93.

Read twice and referred, 128.

Reported back, 175.

Passed the senate, 210.

Received from house, 535.

Other action, 561, 562.

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.

Introduced, 94.

Read twice and referred, 128.

Reported back, 171.

Passed the senate, 209.

Received from the house, 623.

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.

Introduced, 94.

Read twice and referred, 128.

Reported back, 173.

Passed the senate, 209.

Received from house, 541.

Other action, 562, 615.

Senate Bill No. 109—(Lavayea)

A bill for an act legalizing the levy and assessment of taxes as made by the state, the various counties, cities, townships and school districts for the years 1890 to 1902 inclusive.

Introduced, 94.

Read twice and referred, 129.

Senate Bill No. 110—(Simpson)

A bill for an act appropriating money from the state treasury, not otherwise appropriated, to compensate the states 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.

Introduced, 94.

Read twice and referred, 129.

Reported back, 361.

Passed the senate, 393.

Received from house, 595.

Other action, 602, 620.

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.

Introduced, 94.

Read twice and referred, 129.

Reported back, 151.

Senate Bill No. 111—(Cont.)

Passed the senate, 180.
Received from house, 535.
Other action, 561, 562.

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.
Introduced, 105.
Read twice and referred, 109.
Reported back, 132.
Passed the senate, 162.
Received from house, 500.
Other action, 540, 561, 562.

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.
Introduced, 105.
Read twice and referred, 109.
Reported back, 133.
Passed the senate, 163.
Received from house, 623.

Senate Bill No. 114—(Regan)

A bill for an act to amend chapter 179 of the session laws of 1901.
Introduced, 105.
Read twice and referred, 109.
Reported back with amendments, 308.
Passed the senate, 344.
Received from house, 498.
Other action, 503, 511.

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.
Introduced, 105.
Read twice and referred, 109.
Reported back, 152.
Passed the senate, 184.
Received from house with amendments, 551.
Amendments concurred in, 551.
Other action, 567, 665.

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.

Introduced, 105.
Read twice and referred, 110.
Reported back with amendments, 189.
Passed the senate, 212.
Received from house, 612.
Other action, 625, 678.

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.

Introduced, 126.
Read twice and referred, 155.
Reported back with amendments, 360.
Passed the senate, 392.
Received from house with amendments, 595, 636.
Amendments concurred in, 636.
Other action, 653, 678.

Senate Bill No. 118—(Brown)

A bill for an act establishing the state fair, locating it at Fargo, and making appropriations therefor.

Introduced, 126.
Read twice and referred, 155.
Reported back, 271.
Lost, 452.

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.

Introduced, 135.
Read twice and referred, 203.
Reported back with amendments, 286.
Passed the senate, 317.
Received from house, 512.
Other action, 562, 615.

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.

Introduced, 135.

Read twice and referred, 178.

Reported back with amendments, 216.

Passed the senate, 244.

Received from house with amendments, 584.

Amendments concurred in, 573.

Other action, 591, 619.

Senate Bill No. 121—(Crane)

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, 135.

Read twice and referred, 155.

Senate Bill No. 122—(Crane)

A bill for an act to amend section 2061 of the Revised Codes of 1899 relating to the salary of district court clerks.

Introduced, 135.

Read twice and referred, 178.

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.

Introduced, 136.

Read twice and referred, 155.

Reported back, 257.

Passed the senate, 315.

Received from house, 500.

Other action, 509, 510.

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.

Introduced, 136.

Read twice and referred, 203.

Reported back with amendments, 311.

Passed the senate, 351.

Received from house, 664.

Other action, 625, 672, 680.

Senate Bill No. 125—(Voss)

A bill for an act prohibiting the practice of Christian Science, Faith Cure, Mind Healing and other like agencies in the curing of diseases, and providing punishment therefor.

Introduced, 155.

Read twice and referred, 155.

Reported back with amendments, 309.

Lost, 379.

Senate Bill No. 126—(Lewis)

A bill for an act validating assessments and taxes and providing for the collection of such taxes.

Introduced, 155.

Read twice and referred, 155.

Reported back with amendments, 311, 351.

Passed the senate, 351.

Received from house with amendments, 613.

Amendments concurred in, 634.

Other action, 653, 680.

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.

Introduced, 156.

Read twice and referred, 156.

Reported back with amendments, 258.

Passed the senate, 299.

Received from house 559.

Other action, 567, 614.

Senate Bill No. 128—(Cashel)

A bill for an act to amend subdivision 16 of section 2365 of the Revised Codes of 1899.

Introduced, 156.

Read twice and referred, 156.

Reported back with amendments, 258.

Passed the senate, 244.

Received from house with amendments, 611.

Amendments concurred in, 633.

Other action, 637, 678.

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.
 Introduced, 156.
 Read twice and referred, 156.
 Reported back, 305.
 Passed the senate, 326.
 Received from house, 624.

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.
 Introduced, 156.
 Read twice and referred, 156.
 Reported back with amendments, 306.
 Passed the senate, 425.
 Received from house, 624.

Senate Bill No. 131—(Clarke)

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.
 Introduced, 156.
 Read and referred, 156.

Senate Bill No. 132—(Clarke)

A bill for an act to provide for threshing laborers' liens.
 Introduced, 156.
 Read twice and referred, 156.

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.
 Introduced, 156.
 Read twice and referred, 156.
 Reported back, 308.
 Passed the senate, 349.
 Received from house, 544.
 Other action, 566, 614.

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.
 Introduced, 157.
 Read twice and referred, 157.
 Reported back, 365.
 Passed the senate, 399.
 Received from house, 595.
 Other action, 604, 620.

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.
 Introduced, 157.
 Read twice and referred, 157.
 Reported back with amendments, 353.
 Passed the senate, 390.
 Received from house, 603.
 Other action, 608, 621.

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.
 Introduced, 157.
 Read twice and referred, 157.
 Reported back, 365.
 Passed the senate, 394.
 Received from house, 594.
 Other action, 602, 620.

Senate Bill No. 137—(LaMoure)

A bill for an act to amend section 8567 of the Revised Codes of 1899, relating to product of the twine and cordage plant and how disposed of.
 Introduced, 157.
 Read twice and referred, 157.

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.

Introduced, 157.
Read twice and referred, 157.
Reported back, 286.
Passed the senate, 316.
Received from house, 542.
Other action, 564, 615.

Senate Bill No. 139—(Herbrandson)

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, 157.
Read twice and referred, 157.

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.

Introduced, 157.
Read twice and referred, 157.
Reported back, 238.
Passed the senate, 316.
Received from house, 585.
Amendments concurred in, 574.
Other action, 592, 617.

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.

Introduced, 177.
Read twice and referred, 203.
Reported back, 289.
Passed the senate, 323.
Received from house, 623.

Senate Bill No. 142—(Williams)

A bill for an act to establish a state fair board, prescribe its duties and make an appropriation for state fairs.

Introduced, 177.
Read twice and referred, 203.
Reported back, 368.
Other action, 404.

Senate Bill No. 143—(McLean)

A bill for an act to amend section 2060, chapter 27, of the political code of the Revised Code of the state of North Dakota, relating to the office to be furnished to the state's attorney.

Introduced, 177.
Read twice and referred, 203.

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.

Introduced, 178.
Read twice and referred, 203.
Reported back, 238.
Passed the senate, 246.
Received from house, 584.
Other action, 590, 619.

Senate Bill No. 145—(Taylor)

A bill for an act to amend and reenact 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.

Introduced, 178.
Read twice and referred, 203.
Reported back, 232.
Passed the senate, 268.
Received from house with amendments, 542, 543.
Amendments concurred in, 546.
Other action, 567, 614.

Senate Bill No. 146—(Regan)

A bill for an act requiring all telegraph companies whose business is exclusively to transmit messages by telegraph, to keep open their offices at all hours in towns of 2,000 population or over, and prescribing a penalty for the violation thereof.

Introduced, 178.

Read twice and referred, 204.

Reported back, 477.

Other action, 520.

Senate Bill No. 147—(Lewis)

A bill for an act relating to agricultural fair corporations.

Introduced, 196.

Read twice and referred, 204.

Reported back with amendments, 338.

Passed the senate, 427.

Received from house, 611.

Other action, 608, 621.

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.

Introduced, 196.

Read twice and referred, 204.

Reported back with amendments, 238.

Passed the senate, 299.

Lost, 624.

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.

Introduced, 196.

Read twice and referred, 204.

Reported back with amendments, 380, 482.

Passed the senate, 482.

Lost, 622.

Senate Bill No. 150—(Williams)

A bill for an act to amend section 1526 of the Revised Codes of North Dakota of 1899.

Introduced, 196.

Read twice and referred, 204.

Reported back, 380.

Passed the senate, 455.

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.

Introduced, 196.

Read twice and referred, 204.

Reported back, 235.

Passed the senate, 248.

Received from house, 386.

Other action, 494, 495.

Senate Bill No. 152—(Hale)

A bill for an act to require fire, lightning or tornado insurance agents within the state to pay license fees, providing how such fees shall be disbursed and a penalty for violation of its provisions.

Introduced, 196.

Read twice and referred, 204.

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.

Introduced, 202.

Read twice and referred, 205.

Reported back, 287.

Passed the senate, 321.

Received from house, 540.

Other action, 563, 617.

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.

Introduced, 202.

Read twice and referred, 205.

Reported back with amendments, 416.

Passed the senate, 519.

Received from house, 622.

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.

Introduced, 202.
Read twice and referred, 205.
Reported back, 308.
Passed the senate, 347.
Received from house with amendments, 611.
Amendments concurred in, 632.
Other action, 653, 680.

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.

Introduced, 202.
Read twice and referred, 205.
Reported back, 365.
Passed the senate, 399.
Received from house, 595.
Other action, 602, 620.

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.

Introduced, 202.
Read twice and referred, 205.
Reported back with amendments, 368.
Passed the senate, 403.
Received from house, 611.
Other action, 608, 621.

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.

Introduced, 202.
Read twice and referred, 205.
Reported back, 311.
Passed the senate, 352.
Received from house with amendments, 543.
Amendments concurred in, 549.
Other action, 566, 614.

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.

Introduced, 222.
Read twice and referred, 265.
Reported back, 291.
Passed the senate, 325.
Received from house, 624.
Other action, 348.

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.

Introduced, 222.
Read twice and referred, 265.
Reported back, 287.
Passed the senate, 318.
Received from house, 542.
Other action, 563, 615.

Senate Bill No. 161—(Hagen)

A bill for an act to amend section 5577, of chapter 13 of the code of civil procedure of the Revised Codes of North Dakota, 1899.

Introduced, 222.
Read twice and referred, 265.

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.

Introduced, 240.
Read twice and referred, 240.
Passed the senate, 518.
Received from house, 584.
Other action, 592, 618.

Senate Bill No. 163—(Crane)

A bill for an act requiring railroad corporations to grant stopover privileges to passengers, removing time limit on passenger tickets, and prescribing penalty for violations of the provisions of this act.

Introduced, 240.
Read twice and referred, 240.
Reported back, 375.
Lost, 375.

Senate Bill No. 164—(Voss)

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 Lewis & Clark Centennial in 1905 at the city of Portland, Oregon, and providing for a board of commissioners therefor, and making an appropriation for the purpose.

Introduced, 241.

Read twice and referred, 241.

Senate Bill No. 165—(Main)

A bill for an act relating to where county records shall be kept.

Introduced, 241.

Read twice and referred, 241.

Reported back, 287.

Passed the senate, 318.

Received from house, 584.

Other action, 592, 618.

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.

Introduced, 241.

Read twice and referred, 241.

Reported back with amendments, 417.

Passed the senate, 519.

Received from house, 622.

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.

Introduced, 241.

Read twice and referred, 241.

Reported back, 287.

Passed the senate, 319.

Received from house, 624.

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.

Introduced, 241.

Read twice and referred, 241.

Reported back, 376.

Passed the senate, 456.

Received from house, 612.

Other action, 637, 679.

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.

Introduced, 241.

Read twice and referred, 241.

Reported back with amendments, 379.

Passed the senate, 453.

Received from house, 625.

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.

Introduced, 241.

Read twice and referred, 241.

Reported back, 286.

Passed the senate, 318.

Received from house with amendments, 585.

Amendments concurred in, 575.

Other action, 592, 618.

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.

Introduced, 242.

Read twice and referred, 242.

Reported back with amendments, 362.

Passed the senate, 396.

Received from house, 385.

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.

Introduced, 242.

Read twice and referred, 242.

Reported back with amendments, 361.

Passed the senate, 395.

Received from house, 611.

Other action, 608, 621.

Senate Bill No. 173—(Committee on Education)

A bill for an act to amend and re-enact sections 759 and 761 of the Revised Codes, relating to education.

Introduced, 262.

Read twice and referred, 262. ,

Reported back, 291.

Passed the senate, 325.

Received from house, 541.

Other action, 567, 614.

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.

Introduced, 262.

Read twice and referred, 262. ,

Reported back, 308.

Passed the senate, 344.

Received from house, 499.

Other action, 509, 510.

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.

Introduced, 262.

Read twice and referred, 263.

Reported back, 381.

Passed the senate, 430.

Received from house, 584.

Other action, 591, 618.

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.

Introduced, 263.

Read twice and referred, 263.

Reported back, 380.

Passed the senate, 454.

Received from house with amendments, 612.

Amendments concurred in, 635.

Other action, 637, 678.

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.

Introduced, 263.

Read twice and referred, 263.

Reported back, 287.

Passed the senate, 321.

Received from house with amendments, 585.

Amendments concurred in, 575.

Other action, 591, 618.

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.

Introduced, 263.

Read twice and referred, 263.

Reported back, 288.

Passed the senate, 322.

Received from the house, 555.

Amendments concurred in, 575.

Other action, 567, 614.

Senate Bill No. 179—(Williams)

A bill for an act relating to the absence of county officials from the duties of their offices.

Introduced, 263.

Read twice and referred, 263.

Senate Bill No. 180—(Talcott)

A bill for an act relating to the death penalty. Warden of the North Dakota penitentiary to procure the proper electrical apparatus, machinery and appliances for the execution of convicted criminals, and for an appropriation providing means for

Senate Bill No. 180—(Cont.)

the inflicting of such penalty.
Time when law to apply.
Introduced, 263.
Read twice and referred, 263.
Reported back, 381.

Senate Bill No. 181—(Talcott)

A bill for an act to amend and re-enact section 76 of chapter 126 of the laws of 1897, being section 1261 of the Revised Codes of the state of North Dakota, 1899, in regard to revenue and taxation, and providing that in bidding at public vendue the purchaser who will pay the total amount of taxes, penalties and costs charged against land sold therefor at the lowest rate of interest shall be the best bidder therefor.
Introduced, 264.
Read twice and referred, 264.

Senate Bill No. 182—(Bacon)

A bill for an act making an appropriation to be expended under the direction of the board of trustees of the state university and school of mines, for the purpose of continuing the geological and natural history survey of the state and for the purpose of ascertaining what lands of this state contain deposits of lignite coal and for fully carrying out the provisions of section 155 of the constitution of this state relating to lands bearing lignite coal.
Introduced, 264.
Read twice and referred, 264.
Reported back, 362.

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

Senate Bill No. 183—(Cont.)

from the sale of such bonds shall be disposed ...
Introduced, 264.
Read twice and referred, 264.
Reported back with amendments, 366.
Passed the senate, 401.
Received from house with amendments, 543.
Amendments concurred in, 544.
Other action, 568, 614.

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.
Introduced, 264.
Read twice and referred, 264.
Reported back with amendments, 366.
Passed the senate, 401.
Received from house with amendments, 593.
Amendments concurred in, 641.
Other action, 653, 680.

Senate Bill No. 185—(Crane)

A bill for an act regulating the issuing of policies of insurance upon property in this state against loss or damage by fire, lightning or other hazard; providing for the payment of such loss or damage in the full amount of the policy of insurance if loss is total, and full amount of damage if loss is partial.
Introduced, 264.
Read twice and referred, 264.

Senate Bill No. 186—(Johnson)

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.
Introduced, 265.
Read twice and referred, 265.
Reported back with amendments, 338, 426.
Passed the senate, 427.
Other action, 639.

Senate Bill No. 187—(McLean)

Concurrent resolution fixing time of payment of school and institution lands.

Introduced, 265.

Read twice and referred, 265.

Reported back, 382.

Lost, 382.

Senate Bill No. 188—(McLean)

bill for an act to repeal section 516 of the political code of 1899, relating to marking ballots and manner of voting.

Introduced, 265.

Read twice and referred, 265.

Reported back, 290.

Lost, 290.

Senate Bill No. 189—(McLean)

A bill for an act to amend section 524 of the political code of 1899, declaring when ballots shall be void and not counted.

Introduced, 265.

Read twice and referred, 265.

Reported back, 290.

Lost, 291.

Senate Bill No. 190—(Wipperman)

A bill for an act to amend and reenact section 1090 of the Revised Codes of the revision of 1899.

Introduced, 277.

Read twice and referred, 277.

Reported back, 334.

Lost, 334.

Senate Bill No. 191—(Wipperman)

A bill for an act to amend section 1267 of the Revised Codes of the revision of 1899.

Introduced, 277.

Read twice and referred, 277.

Senate Bill No. 192—(Crane)

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.

Introduced, 277.

Read twice and referred, 277.

Reported back, 373.

Passed the senate, 453.

Received from house, 622.

Senate Bill No. 193—(Sharpe)

A bill for an act pertaining to the keeping in the office of county auditor, of records of real estate transfers.

Introduced, 277.

Read twice and referred, 277.

Reported back, 381.

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.

Introduced, 277.

Read twice and referred, 277.

Reported back with amendments, 451.

Passed the senate, 452.

Received from house, 622.

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.

Introduced, 278.

Read twice and referred, 278.

Reported back, 309.

Passed the senate, 350.

Received from house with amendments, 498.

Amendments concurred in, 491.

Other action, 509, 510.

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.

Introduced, 278.

Read twice and referred, 278.

Reported back, 361.

Passed the senate, 388.

Received from house, 595.

Other action, 604, 620.

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.

Introduced, 278.

Read twice and referred, 278.

Reported back, 369.

Passed the senate, 403.

Received from house, 586.

Other action, 591, 618.

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.

Introduced, 278.
Read twice and referred, 278.
Reported back, 310.
Passed the senate, 345.
Received from house, 464.
Other action, 448, 493, 496.

Senate Bill No. 199—(Williams)

A bill for an act providing for the confirmation by the county court of sales of real property situated within the state, of non-resident minors and insane persons where made under the directions of a court of another state or county having jurisdiction of the person of such minor or insane person.

Introduced, 294.
Read twice and referred, 294.

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.

Introduced, 294.
Read twice and referred, 294.
Reported back with amendments, 379.
Passed the senate, 458.
Received from house, 613.
Other action, 637, 679.

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

Senate Bill No. 201—(Cont.)

failures to comply with the provisions of this act.
Introduced, 294.
Read twice and referred, 295.
Reported back, 375.
Passed the senate, 517.
Received from house, 613.
Other action, 630, 679.

Senate Bill No. 202—(Little)

A bill for an act to amend and reenact section 1986, Revised Codes of North Dakota, revision of 1899.

Introduced, 295.
Read twice and referred, 295.
Reported back with amendments, 305.
Passed the senate, 348.
Received from house, 586.
Other action, 592, 618.

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.

Introduced, 295.
Read twice and referred, 295.
Reported back, 337.
Passed the senate, 431.
Received from house with amendments, 666, 667.
Amendments concurred in, 671.
Other action, 672, 685.

Senate Bill 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.

Introduced, 295.
Read twice and referred, 295.
Reported back, 306.
Passed the senate, 346.
Received from house, 540.
Other action, 563, 616.

Senate Bill No. 205—(Lewis)

A bill for an act amending sections 3594 and 3595 of the Revised Codes.
 Introduced, 295.
 Read twice and referred, 295.
 Reported back with amendments, 476, 520.
 Passed the senate, 520.
 Received from house with amendments, 612.
 Amendments concurred in, 635.
 Other action, 637, 678.

Senate Bill No. 206—(Lewis)

A bill for an act providing for future valid assessments and levies of taxes and delinquencies and penalties thereon.
 Introduced, 295.
 Read twice and referred, 295.
 Reported back, 341.
 Passed the senate, 428.
 Received from house, 583.
 Other action, 591, 618.

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.
 Introduced, 295.
 Read twice and referred, 295.
 Reported back, 361.
 Passed the senate, 394.
 Received from house, 583.
 Other action, 591, 618.

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.
 Introduced, 296.
 Read twice and referred, 296.
 Reported back, 361.
 Passed the senate, 393.
 Received from house, 583.
 Other action, 591, 615.

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.
 Introduced, 296.
 Read twice and referred, 296.
 Reported back with amendments, 337, 426.
 Passed the senate, 426.
 Received from house, 584.
 Other action, 591, 618.

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.
 Introduced, 296.
 Read twice and referred, 296.
 Reported back, 512.
 Passed the senate, 577.
 Lost, 512.
 Received from house, 604.
 Other action, 540, 608, 621.

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.
 Introduced, 296.
 Read twice and referred, 296.
 Reported back, 374.
 Passed the senate, 479.
 Received from house, 613.
 Other action, 637, 679.

Senate Bill No. 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

Senate Bill No. 212—(Cont.)

commissioners with reference thereto.

Introduced, 296.

Read twice and referred, 296.

Reported back with amendments, 382, 383.

4 Passed the senate, 425.

Received from house, 583.

Other action, 591, 618.

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.

Introduced, 314.

Read twice and referred, 314.

Reported back with amendments, 373, 457.

Passed the senate, 457.

Received from house, 584.

Senate Bill No. 214—(Regan)

A bill for an act to amend section 275 of the Revised Codes relating to the appointment and qualifications of the state board of medical examiners.

Introduced, 314.

Read twice and referred, 314.

Senate Bill No. 215—(Simpson)

A bill for an act changing and defining the boundaries of Stark county.

Introduced, 314.

Read twice and referred, 314.

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.

Introduced, 314.

Read twice and referred, 315.

Reported back with amendments, 373.

Passed the senate, 455.

Received from house, 622.

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.

Introduced, 315.

Read twice and referred, 316.

Reported back with amendments, 502.

Passed the senate, 522.

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.

Introduced, 315.

Read twice and referred, 315.

Reported back, 418.

Passed the senate, 517.

Received from house, 613.

Other action, 626, 678.

Senate Bill No. 219—(Bacon)

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, 342.

Read twice and referred, 342.

Senate Bill No. 220—(Cashel)

A bill for an act to establish a state dispensary by and for the state of North Dakota for the purchase and sale of intoxicating liquors, and for the control and regulation thereof.

Introduced, 342.

Read twice and referred, 342.

Senate Bill No. 221—(McArthur)

A bill for an act amending section 7594 of the Revised Codes of North Dakota of 1899, relating to druggist's permit.

Introduced, 342.

Read twice and referred, 342.

Reported back, 538.

Senate Bill No. 222—(Wipperman)

A bill for an act to prohibit the use of any free pass or frank, or privilege withheld from any person, for the traveling accommodation or transportation of any person or property or the transmission of any message or communication.

Introduced, 343.

Read twice and referred, 343.

Senate Bill No. 223—(Kirkeide)

A bill for an act to repeal sections 5844, 5845, 5846, 5847, 5848, 5849, 5850, 5851, 5852, 5853, 5854, 5855, 5856, 5857, 5858, 8859, 5860, 5861, 5862, 5863 and 5864 of the Revised Codes of North Dakota, 1899, relating to foreclosure of mortgages and liens by advertisement.

Introduced, 343.

Read twice and referred, 343.

Senate Bill No. 224—(Kirkeide)

A bill for an act to amend sections 5872 and 5881 of the Revised Codes of North Dakota, 1899, relating to the certificate of sale to be given, the deed and effect thereof, and the redemption of real property on foreclosure of real property by action.

Introduced, 343.

Read twice and referred, 343.

Senate Bill No. 225—(Garnett)

A bill for an act licensing auctioneers and prescribing penalties for acting as such without license.

Introduced, 343.

Read twice and referred, 343.

Reported back with amendments, 444.

Passed the senate, 482.

Received from house, 625.

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 responsible for damages.

Introduced, 343.

Read twice and referred, 343.

Reported back, 582.

Passed the senate, 457.

Received from house, 622.

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.

Introduced, 300.

Read twice and referred, 405.

Reported back, 476.

Passed the senate, 520.

Received from house, 613.

Other action, 637, 679.

Senate Bill No. 228—(Carroll)

A bill for an act creating the office of inspector general of weights and measures.

Introduced, 405.

Read twice and referred, 405.

Reported back with amendments, 506.

Passed the senate, 521.

Received from house, 625.

Senate Bill No. 229—(Kirkeide)

A bill for an act to amend section 4788 and to repeal section 4794 of the Revised Codes of North Dakota, 1899, relating to mechanic's lines.

Introduced, 424.

Read twice and referred, 424.

Senate Bill No. 230—(Wipperman)

A bill for an act to amend sections 2063, 2069, 2074, 2078 and 2081 of the political code of the state of North Dakota, relating to clerks and deputies in certain county offices and to salaries and the fixing the amount thereof.

Introduced, 424.

Read twice and referred, 424.

Senate Bill No. 231—(Talcott)

A bill for an act to amend and reenact chapter 92 of the session laws of 1901, relating to the fees of clerks of the district court.

Introduced, 450.

Read twice and referred, 450.

Reported back, 504.

Passed the senate, 521.

Received from house, 611.

Other action, 637, 679.

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 animals.

Introduced, 450.

Read twice and referred, 450.

Reported back with amendments, 502.

Passed the senate, 523.

Received from house, 625.

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.

Introduced, 450.

Read twice and referred, 450.

Reported back with amendments, 504, 549.

Passed the senate, 548.

Received from house, 612.

Other action, 630, 680.

Senate Bill No. 234—(Lewis)

A bill for an act to authorize organized civil townships to adopt the contract system of road work and prescribing the procedure thereunder.

Introduced, 479.

Read twice and referred, 479.

Senate Bill No. 235—(Macdonald)

A bill for an act to suppress lottery schemes, gift enterprises and bribery in connection with the United States internal revenue stamps.

Introduced, 514.

Read twice and referred, 514.

Senate Bill No. 236—(Cox)

A bill for an act to provide for the adoption of a minor child under certain specified conditions.

Introduced, 547.

Read twice and referred, 547.

Passed the senate, 576.

Received from house, 613.

Other action, 626, 678.

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.

Received from house, 137.

Read twice and referred, 142.

Reported back with amendments, 173.

Passed the senate, 229.

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.

Received from house, 95.

Read twice and referred, 140.

Reported back, 190.

Passed the senate, 211.

Other action, 253.

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.

House Bill No. 3—(Cont.)

Received from house, 193.

Read twice and referred, 207.

Reported back, 291.

Passed the senate, 489.

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.

Received from house, 87.

First reading, 98.

Second reading and reference, 144.

Reported back with amendments, 258, 447.

Passed the senate, 550.

Other action, 588.

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.

Received from house, 193.

Read twice and referred, 207.

Reported back, 365.

Passed the senate, 404.

Other action, 496.

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.
 Received from house, 73.
 Read twice and referred, 88, 98.
 Reported back, 102.
 Passed the senate, 164.
 Other action, 200.

House Bill No. 11—(Buttz)

A bill for an act for the relief of James McKechnie, a member of Battery A, state national guard.
 Received from house, 137.
 Read twice and referred, 142.
 Reported back, 175.
 Passed the senate, 250.
 Other action, 301.

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.
 Received from house, 94.
 Read twice and referred, 140.
 Reported back, 382.
 Lost, 382.

House Bill No. 14—(Tufte)

A bill for an act preventing and restraining operation of pools, trusts and conspiracies.
 Received from house, 194.
 Read twice and referred, 207.

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.
 Received from house, 106.
 Read twice and referred, 140.
 Reported back, 171.
 Passed the senate, 229.

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.
 Received from house, 301.
 Read twice and referred, 326.
 Reported back, 374.
 Passed the senate, 525.
 Other action, 553.

House Bill No. 18—(Beck)

A bill for an act to regulate the practice of optometry in the state of North Dakota.
 Received from house, 193.
 Read twice and referred, 207.
 Reported back with amendments, 233.
 Passed the senate, 488.
 Other action, 533.

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.
 Received from house, 106
 Read twice and referred, 140.
 Reported back, 169.
 Passed the senate, 185.
 Other action, 201.

House Bill No. 20—(Buttz)

A bill for an act to amend section 1419 of chapter 19 of the political code, relating to militia.
 Received from house, 137.
 Read twice and referred, 142.
 Reported back, 200.
 Passed the senate, 327.
 Other action, '05.

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.
 Received from house, 95.
 Read twice and referred, 140.
 Reported back, 173.
 Passed the senate, 230.
 Other action, 268.

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.
 Received from house, 106.
 Read twice and referred, 141.
 Reported back with amendments, 187.
 Passed the senate, 327.
 Other action, 405.

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.

Received from house, 137.
Read twice and referred, 142.
Reported back with amendments, 447.
Passed the senate, 462.
Other action, 553.

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.

Received from house, 166.
Read twice and referred, 184.
Reported back with amendments, 447.
Passed the senate, 462.
Other action, 533.

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.

Received from senate, 137.
Read twice and referred, 143.
Reported back with amendments, 215.
Read third time, 460.
Passed the senate, 461.
Other action, 554.

House Bill No. 36—(McLain)

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

Received from house, 137.
Read twice and referred, 143.
Reported back, 188.
Passed the senate, 328.
Other action, 404.

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.

Received from house, 137.
Read twice and referred, 143.
Reported back, 188.
Passed the senate, 328.
Other action, 405.

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.

Received from house, 106.
Read twice and referred, 141.
Reported back with amendments, 378.
Passed the senate, 651.
Other action, 676.

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.

Received from house, 384
Read twice and referred, 406.
Reported back, 505.
Other action, 449.

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."

Received from house, 107.
Read twice and referred, 141.

House Bill No. 41—(Wall)

A bill for an act to amend section 2 of chapter 142 of the laws of 1877, entitled "an act to provide for the collection of city taxes in incorporated cities of the territory of Dakota."

Received from house, 107.
Read twice and referred, 141.
Reported back with amendments, 174.

Read third time, 248.
Passed the senate, 249.
Other action, 301.

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

House Bill No. 42—(Cont.)

laws or changes in the procedure relating thereto.

Received from house, 106.

Read twice and referred, 141.

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."

Received from house, 107.

Read twice and referred, 141.

Reported back, 188.

Reported back with amendments, 338.

House Bill No. 45—(Simpson)

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

Received from house, 137.

Read twice and referred, 143.

Reported back, 310.

Passed the senate, 580.

Other action, 605.

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.

Received from house, 271.

Read twice and referred, 279.

Reported back with amendments, 380.

Read third time, 485.

Other action, 533.

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.

Received from house, 109.

Read twice and referred, 142.

Reported back, 258.

Read third time, 434.

Passed the senate, 435.

Other action, 496.

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.

Received from house, 95.

Read twice and referred, 140.

Reported back with amendments, 174.

Passed the senate, 249.

Other action, 302.

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.

Received from house, 107.

Read twice and referred, 142.

Reported back, 276.

Passed the senate, 461.

Other action, 533.

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.

Received from house, 137.

Read twice and referred, 143.

Reported back with amendments, 214.

Passed the senate, 528.

Other action, 554.

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.

Received from house, 107.

Read twice and referred, 142.

Reported back with amendments, 189.

Passed the senate, 329.

Other action, 405.

House Bill No. 63—(Chaffee)

A concurrent resolution providing for the taxing of grain in elevators, warehouses and granaries at a fixed rate.

Received from house, 138.

Read twice and referred, 143.

Reported back, 218.

Passed the senate, 435.

Other action, 496.

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.

Read twice and referred, 433.

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.

Received from house, 107.

Read twice and referred, 142.

Reported back, 446.

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.

Received from house, 386.

Read twice and referred, 407.

Reported back, 418.

Passed the senate, 460.

Other action, 532.

House Bill No. 73—(Davis)

A concurrent resolution relating to name of school for deaf and dumb.

Received from house, 138.

Read twice and referred, 143.

Reported back, 216.

Passed the senate, 462.

Other action, 532.

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.

Received from house, 166.

Read twice and referred, 184.

Reported back, 310.

Read third time, 528.

Passed the senate, 529.

Other action, 554.

House Bill No. 79—(Ryan)

A bill for an act concerning land titles.

Received from house, 465.

Read twice and referred, 467.

Reported back, 571.

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.

Received from house, 385.

Read twice and referred, 460.

Reported back, 506.

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.

Received from house, 220.

Read twice and referred, 243.

Reported back with amendments, 388.

Read third time, 667.

Passed the senate, 668.

Other action, 677.

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. Received from house, 220. Read twice and referred, 242. Reported back, 307. Passed the senate, 529. Other action, 554.

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 in defraying the current and contingent expenses. Received from house, 441. Read twice and referred, 431. Reported back, 539. Read third time, 577. Passed the senate, 578. Other action, 590.

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. Received from house, 465. Read twice and referred, 469. Reported back with amendments, 539. Passed the senate, 578. Other action, 590.

House Bill No. 94—(Noltimier)

A bill for an act to provide for the adoption of children. Received from house, 251. Read twice and referred, 243. Reported back, 305. Lost, 305.

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. Received from house, 353. Read twice and referred, 352. Reported back with amendments, 372. Other action, 645.

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. Received from house, 440. Read twice and referred, 433. Reported back, 478. Passed the senate, 526. Other action, 554.

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. Received from house, 271. Read twice and referred, 279. Reported back with amendments, 443. Passed the senate, 643. Other action, 675.

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. Received from house, 385. Read twice and referred, 406. Reported back, 418. Passed the senate, 483. Other action, 533.

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. Received from house, 540. Read twice and referred, 558. Reported back, 569. Passed the senate, 646. Other action, 673.

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.
 Received from house, 166.
 Read twice and referred, 184.
 Reported back, 236.
 Passed the senate, 596.
 Other action, 604.

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.
 Received from house, 100.
 Read twice and referred, 206.
 Reported back with amendments, 234.
 Passed the senate.
 Other action, 533.

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.
 Received from house, 220.
 Read twice and referred, 243.
 Reported back, 305.
 Passed the senate, 523.
 Other action, 553.

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.
 Received from house, 220.
 Read twice and referred, 242.
 Reported back, 309.
 Passed the senate, 603.

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
 Received from house, 176.
 Read twice and referred, 206.
 Reported back, 571.
 Passed the senate, 658.
 Other action, 675.

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.
 Received from house, 176.
 Read twice and referred, 206.
 Reported back, 305.
 Passed the senate, 670.

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.
 Received from house, 251.
 Read twice and referred, 243.
 Reported back, 568.
 Reported back with amendments, 569.
 Read third time, 651.
 Passed the senate, 655.
 Lost, 652.
 Other action, 654.

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.
 Received from house, 270.
 Read twice and referred, 279.
 Reported back with amendments, 335.

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.
 Received from house, 176.
 Read twice and referred, 206.
 Reported back, 258.
 Passed the senate, 485.
 Other action, 533.

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.
 Received from house, 221.
 Read twice and referred, 242.
 Reported back, 334.
 Lost, 335.

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.

Received from house, 176.
Read twice and referred, 206.
Reported back, 288.
Passed the senate, 559.
Other action, 532.

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.

Received from house, 147.
Read twice and referred, 148.
Reported back, 151.
Passed the senate, 165.
Other action, 201.

House Bill No. 127—(Chaffee)

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.

Received from house, 221.
Read twice and referred, 243.
Reported back, 307.
Passed the senate, 527.
Other action, 553.

House Bill No. 129—(Richmond)

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

Received from house, 176.
Read twice and referred, 206.
Reported back, 258.
Passed the senate, 435.
Other action, 496.

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.

Received from house, 353.
Read twice and referred, 353.
Reported back, 417.
Read third time, 668.
Passed the senate, 669.
Other action, 676.

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.

Received from house, 251.
Read twice and referred, 243.

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.

Received from house, 385.
Read twice and referred, 405.
Reported back with amendments, 446.
Passed the senate, 555.
Other action, 587.

House Bill No. 142—(Sheils)

A bill for an act making appropriation for support and maintenance of the North Dakota Children's Home Society.

Received from house, 439.
Read twice and referred, 432.
Reported back with amendments, 539.
Passed the senate, 579.
Other action, 590.

House Bill No. 143—(Mallough)

A bill for an act to regulate the importation of dependent children.

Received from house, 252.
Read twice and referred, 244.
Passed the senate, 661.
Other action, 670.

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.
 Received from house, 270.
 Read twice and referred, 279.
 Reported back, 308.
 Passed the senate, 669.
 Other action, 675.

House Bill No. 146—(Lech)

A bill for an act to amend sections 5352, 5353 and 5356 of the Revised Codes of North Dakota, relating to attachment.
 Received from house, 251.
 Read twice and referred, 243.
 Reported back, 258.
 Passed the senate, 523.
 Other action, 553.

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.
 Received from house, 251.
 Read twice and referred, 243.

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.
 Received from house, 441.
 Read twice and referred, 434.

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.
 Received from house, 464.
 Read twice and referred, 470.
 Reported back, 538.
 Read third time, 579.
 Passed the senate, 580.
 Other action, 590.

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.
 Received from house, 270.
 Read twice and referred, 279.

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.
 Received from house, 271.
 Read twice and referred, 279.

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.
 Received from house, 272.
 Read twice and referred, 279.

House Bill No. 160—(Leech)

A bill for an act to amend section 1987 of the Revised Codes of North Dakota.
 Received from house, 272.
 Read twice and referred, 279.
 Reported back, 339.
 Passed the senate, 649.
 Other action, 674.

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.
 Received from house, 446.
 Read twice and referred, 469.
 Reported back, 506.
 Read third time, 666.
 Lost, 666.

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.
 Received from house, 272.
 Read twice and referred, 280.

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.

Received from house, 272.
Read twice and referred, 280.
Reported back, 307.
Read third time, 552.
Passed the senate, 553.
Other action, 587.

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.

Received from house, 384.
Read twice and referred, 407.

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.

Received from house, 439.
Read twice and referred, 432.
Reported back, 504.
Passed the senate, 556.
Other action, 587.

House Bill No. 169—(Wall)

A bill for an act to provide for the lien of special assessments as between vendor and vendee.

Received from house, 439.
Read twice and referred, 432.
Reported back, 505.
Passed the senate, 601.

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.

Received from house, 384.
Read twice and referred, 406.

House Bill No. 172—(Buttz)

A bill for an act to amend section 5603, Revised Codes, relating to appeals in civil actions.

Received from house, 272.
Read twice and referred, 280.

House Bill No. 173—(Buttz)

A bill for an act relating to motions for review on appeals to the supreme court.

Received from house, 270.
Read twice and referred, 280.
Reported back, 416.
Lost, 416.

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.

Received from house, 440.
Read twice and referred, 431.
Reported back, 505.

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.

Received from house, 440.
Read twice and referred, 431.
Reported back, 505.

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.

Received from house, 272.
Read twice and referred, 280.
Reported back, 307.
Read third time, 484.
Passed the senate, 485.
Other action, 534.

House Bill No. 178—(Leech)

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 au-

House Bill No. 178—(Cont.)

thorized 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.

Received from house, 272.
Read twice and referred, 280.
Reported back, 444.
Passed the senate, 557.
Other action, 588.

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.

Received from house, 272.
Read twice and referred, 280.
Reported back, 446.
Lost, 446.

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.

Received from house, 270.
Read twice and referred, 280.
Reported back, 307.
Passed the senate, 656.
Other action, 675.

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.

Received from house, 384.
Read twice and referred, 406.
Reported back, 418.
Read third time, 483.
Passed the senate, 484.
Other action, 534.

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.

Received from house, 270.
Read twice and referred, 281.
Reported back, 381.

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.

Received from house, 270.
Read twice and referred, 281.
Reported back, 309.
Read third time, 655.
Passed the senate, 656.
Other action, 675.

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.

Received from house, 353.
Read twice and referred, 352.

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.

Received from house, 440.
Read twice and referred, 433.
Reported back, 476.
Passed the senate, 599.
Other action, 673.

House Bill No. 190—(Rogers)

A bill for an act to amend section 1526 of the Revised Codes of North Dakota of 1899.

Received from house, 440.
Read twice and referred, 433.
Reported back, 476.
Passed the senate, 597.

House Bill No. 195—(Chaffee)

A bill for an act to define vagrancy, and prescribing punishment for vagrancy.

Received from house, 353.
Read twice and referred, 352.
Reported back, 445.
Passed the senate, 551.
Other action, 588.

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.

Received from house, 439.
Read twice and referred, 434.
Reported back, 540.
Other action, 605.

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.

Received from house, 466.
Read twice and referred, 468.
Reported back, 507.
Passed the senate, 656.
Other action, 673.

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.

Received from house, 439.
Read twice and referred, 432.
Reported back, 571.
Lost, 571.

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.

Received from house, 384.
Read twice and referred, 407.

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.

Received from house, 440.
Read twice and referred, 434.
Reported back with amendments, 538.
Passed the senate, 581.

House Bill No. 206—(Steinberg)

A bill for an act to amend chapter 114 of the session laws of 1901, relating to jurors.

Received from house, 467.
Read twice and referred, 471.
Reported back, 504.
Lost, 537.
Other action, 505.

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.

Received from house, 439.
Read twice and referred, 432.
Reported back, 478.
Passed the senate, 464.

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.

Received from house, 465.
Read twice and referred, 470.

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.

Received from house, 465.
Read twice and referred, 469.
Reported back, 537.

House Bill No. 215—(Sheils)

A bill for an act to prevent the sale and use in this state of dangerous and impure oils.

Received from house, 465.
Read twice and referred, 469.
Reported back with amendments, 507.
Passed the senate, 557.

House Bill No. 216—(Van Arnam)

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.

Received from house, 438.
Read twice and referred, 432.
Reported back, 569.
Lost, 569.

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.

Received from house, 439.
Read twice and referred, 432.
Reported back, 473.

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.

Received from house, 465.
Read twice and referred, 470.

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 use at the capitol building, and to light the same, and also to appropriate the sum of \$20,000.00 therefor.

Received from house, 385.
Read twice and referred, 406.
Reported back, 477.
Read third time, 486.
Passed the senate, 487.
Other action, 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.

Received from house, 465.
Read twice and referred, 469.
Reported back, 568.
Read third time, 646.
Passed the senate, 647.
Other action, 674.

House Bill No. 224—(Bartz)

A bill for an act to promote forest tree culture.

Received from house, 465.
Read twice and referred, 470.
Reported back, 478.
Lost, 654.

House Bill No. 225—(Skjold)

A bill for an act to amend section 703 of the Revised Codes of the state of North Dakota.

Read twice and referred, 431.
Reported back, 478.
Passed the senate, 665.

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.

Received from house, 353.
Read twice and referred, 353.
Reported back with amendments, 474.
Lost, 580.

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.

Received from house, 440.
Read twice and referred, 433.
Reported back with amendments, 414.
Passed the senate, 644.
Other action, 675.

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.

Received from house, 467.
Read twice and referred, 471.
Reported back, 473.

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.

Received from house, 440.
Read twice and referred, 433.
Reported back, 444.
Passed the senate, 647.
Other action, 674.

House Bill No. 238—(Mallough)

A bill for an act to license solicitors for benevolent organizations.

Received from house, 439.
Read twice and referred, 432.
Reported back, 507.
Passed the senate, 657.
Other action, 676.

House Bill No. 239—(Young)

A bill for an act providing for the assessment and collection of collateral succession or inheritance tax.

Received from house, 456.
Read twice and referred, 468.
Reported back with amendments, 568.
Passed the senate, 649.
Other action, 676.

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."

Received from house, 535.
Read twice and referred, 530.
Reported back, 538.
Read the third time, 596.
Passed the senate, 597.
Other action, 605.

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.

Received from house, 440.
Read twice and referred, 433.
Reported back, 537.
Passed the senate, 600.
Other action, 449.

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.

Received from house, 441.
Read twice and referred, 434.
Reported back with amendments, 536.
Read third time, 600.
Passed the senate, 601.
Other action, 449.

House Bill No. 245—(Ellison)

A bill for an act fixing the terms of district court in LaMoure county, North Dakota.

Received from house, 466.
Read twice and referred, 468.
Reported back, 475.
Passed the senate, 648.
Other action, 673.

House Bill No. 246—(Wagner)

A bill for an act regulating the handling and selling of gasoline.

Received from house, 464.
Read twice and referred, 470.
Reported back, 506.
Passed the senate, 647.
Other action, 673.

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.

Received from house, 466.
Read twice and referred, 468.
Reported back, 508.
Passed the senate, 667.
Other action, 676.

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."

Received from house, 464.
Read twice and referred, 470.
Reported back, 511.
Passed the senate, 662.
Other action, 677.

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.

Received from house, 466.
Read twice and referred, 468.
Reported back, 473.

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.

Received from house, 465.
Read twice and referred, 469.
Reported back, 477.
Passed the senate, 643.
Other action, 674.

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.

Received from house, 466.
Read twice and referred, 469.
Reported back, 475.
Passed the senate, 658.
Other action, 674.

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.

Received from house, 466.
Read twice and referred, 468.
Reported back, 504.
Read third time, 642.
Passed the senate, 644.
Other action, 674.

House Bill No. 257—(Senour)

A bill for an act changing and defining the boundaries of Billings county.

Received from house, 464.
Read twice and referred, 470.
Reported back, 473.
Passed the senate, 659.
Other action, 675.

House Bill No. 258—(McClure)

A bill for an act changing and defining the boundaries of Stark county.

Received from house, 466.
Read twice and referred, 469.
Reported back, 473.
Read third time, 555.
Passed the senate, 556.
Other action, 558.

House Bill No. 261—(Dieball)

A bill for an act changing and defining the boundaries of Mercer county.

Received from house, 467.
Read twice and referred, 468.
Reported back, 473.
Passed the senate, 660.

House Bill No. 262—(Buttz)

A bill for an act to amend section 1653 of the Revised Codes of 1899, relating to fishways.

Received from house, 464.
Read twice and referred, 470.
Reported back, 506.
Passed the senate, 665.
Other action, 676.

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.

Received from house, 467.
Read twice and referred, 467.
Reported back, 505.

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.

Read twice and referred, 558.
Passed the senate, 645.
Other action, 673.

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.

Received from house, 553.
Read twice and referred, 558.
Reported back, 570.
Lost, 570.

House Bill No. 275—(Ryan)

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.

Received from house, 498.
Read twice and referred, 491.
Reported back, 537.
Passed the senate, 660.
Other action, 676.

House Bill No. 277—(Hanson)

Concurrent resolution. Proposed constitutional amendment.

Received from house, 534.
Read twice and referred, 530.
Read third time, 670.
Lost, 671.

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.

Received from house, 498.
Read twice and referred, 491.

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.

Received from house, 534.
Read twice and referred, 530.
Reported back, 571.
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Read third time, 641.
Passed the senate, 642.
Other action, 674.

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