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YANKTON, DAKOTA TERRITORY, TUESDAY EVENING, JANUARY 30, 1877.

No. 235.

THE DAKOTA LEGISLATURE.

TWELFTH SESSION.

Eighteenth Day.

Council.

YANKTON, Jan. 29, 1877.

Council met at ten o'clock, a. m. and was opened with prayer by the chaplain.

Present—all the members except Messrs. Pettigrew and Mills.

Mr. Mills, was by suggestion of the president, excused from attendance during a portion of the day.

Mr. Bailey asked leave of absence for Mr. Pettigrew for the day, which was granted.

Mr. Back presented a communication from Bohemian settlers asking for the appointment of Carl C. P. Meyer to a position where he could render efficient aid in connection with immigration to Dakota, which was referred to a special committee.

On motion of Mr. Back, council bill No. 16, in relation to an immigration law, was referred to the judiciary committee.

A resolution, presented by Mr. Mintr, inviting ex-officials of Dakota to seats within the bar of the council was adopted.

Mr. La Moure presented a joint resolution citing that the compromise bill passed by the senate and house of representatives of the United States has the hearty concurrence of the members of the legislature of Dakota and that a copy of the resolution be transmitted to our delegate in congress.

On motion of Mr. Wallace, seconded by Mr. Back, resolution was laid on the table.

Mr. Back introduced a bill entitled an act to incorporate the city of Fargo, which was referred to the judiciary committee.

Council bill No. 14, a bill for an act to find the indebtedness of Minnehaha county, was taken up and with one or two amendments by Mr. Bailey, in the absence of Mr. Pettigrew, was read a third time and passed.

House files No. 23 and 25, were referred to their appropriate committees.

House file No. 29, a memorial asking for an increase of mail service between Canton and Vermilion was read a third time, under suspension of rules, and passed.

House file No. 30, a memorial asking for an increase of mail service between Rich land and Canton, was, under suspension of rules, read a third time and passed.

On motion of Mr. Back the report of the superintendent of education was referred to the committee on education.

Mr. Wilson from the committee on education to whom was referred the memorial asking for the improvement of the Red River of the North, reported the same back with a recommendation that it pass. The report was adopted and the memorial passed.

The committee to whom was referred council bill No. 17, a bill for the preservation of game, reported the same back with out recommendation.

Mr. Bailey moved that the rules be suspended and the bill put on its passage.

Mr. La Moure objected and a call of the ayes and noes showed that there were not two-thirds in favor of suspension of the rules and the motion was lost.

On motion of Mr. Bally the council went into committee of the whole, Mr. Valentine in the chair, on the civil code.

The committee rose at twelve o'clock reported progress and asked leave to sit again.

The council then took a recess till two o'clock p. m.

AFTERNOON SESSION.

Council convened at two o'clock, immediately adjourned to give the committee on the contested election case an opportunity to sit.

Mr. Burleigh introduced council bill 20, for an act to locate a wagon road from the Missouri river to the Black Hills. Referred to its appropriate committee.

Tuesday, January 30.

Council met at ten o'clock a. m. and was opened with prayer by the chaplain.

All the members were present except Mr. Wilson, who was excused on account of sickness.

REPORTS OF STANDING COMMITTEES.

Mr. Miner, from the judiciary committee, reported back council bill No. 8, a bill for an act relating to the preservation of game, without recommendation. The report was accepted.

REPORTS OF SELECT COMMITTEES.

Mr. Bailey, from the special committee to whom was referred council No. 12, a bill providing for a mode of procedure in contested election cases, reported the bill back recommending that it pass as amended.

INTRODUCTION OF BILLS, ETC.

Mr. Potter introduced council bill 21, for an act to organize certain counties in Dakota, and define the boundaries thereof. The bill was referred to the committee on counties.

Mr. Pettigrew introduced council bill 22, for an act to enable the village of Sioux Falls to vote aid to the Worthington and Sioux Falls railroad company. Referred to the committee on railroads.

Mr. La Moure introduced council bill 23, for an act to protect the settlements of Dakota from prairie fires. Referred to the committee on territories.

THIRD READING OF BILLS, &c.

Council bill 17, for an act for the protection of game, went to its third reading.

HOUSE MESSAGE.

A message was received from the house announcing the passage of house files 20, 21 and 31 and requesting the concurrence of the council therein.

DEFERRED.

On motion of Mr. Mills, council bill 16, relating to immigration, made the special order for half-past ten o'clock this morning, was deferred until two o'clock p. m. to-day.

THIRD READING OF BILLS.

Council bill 17, being still on its third reading, Mr. Wallace moved to amend section one of the bill so that it shall read:

Sec. 1. It shall be unlawful for any person or persons to kill, ensnare or trap, in any form or manner, or by any device whatever, for the purpose of sale, trade or traffic, any quail, prairie chicken, grouse, plover, snipe, or curlew, on any premises owned or occupied by any other person or persons without consent of such person or persons.

The bill was further amended by Mr. Wallace and passed by the following vote: Ayes—Messrs. Back, Bailey, Duncan, Gunderson, Miner, Mills, Pettigrew, Potter, Valentine, Wallace—10; nays—Mr. La Moure.

Council bill 8, in relation to protection of game, came up, and on motion of Mr. Back was indefinitely postponed.

Council bill 12, for an act to regulate the mode of procedure in contested election cases, between members of the legislature, came up under the regular order and was, on motion of Mr. Wallace, made the special order for to-morrow morning at half-past ten.

FIRST AND SECOND READING OF HOUSE BILLS.

House file 20, for an act to repeal the act authorizing the county commissioners of Union county to keep in repair the military bridge across the Big Sioux river, was read twice and referred to the committee on highways, bridges and ferries, consisting of Messrs. Gunderson, Back and La Moure.

House file 21, for an act authorizing school district No. 4, of Bon Homme county, to issue bonds for school house purposes, was read twice and referred to the committee on enrolled bills, consisting of Messrs. Mills, Gunderson and Pettigrew.

House file 21, a memorial to congress asking for right of way for a railroad and telegraph line from Ft. Lincoln to the Little Missouri river, under suspension of the rules, had three readings and was passed.

On motion of Mr. Bailey, the council went into committee of the whole, on the civil code, Mr. Mills in the chair. The civil code was taken up at section 33.

House.

Yankton, Jan. 29.

The house met at 10 o'clock, a. m. and was called to order by the speaker.

Prayer by the chaplain.

Roll called, members all present.

Minutes read and approved.

A message was received from the governor informing the house that he had approved certain bills which originated in the house.

A petition from Frank Bem was presented and read, in which he asks payment for services performed several years ago in the interest of immigration.

On motion of Mr. Van Tassel the petition was laid upon the table.

The committee on ways and means reported with amendments chapter 30 of house file No. 4, a bill for a political code, which was ordered printed.

The committee on highways, bridges and ferries reported back several bills and recommended their passage.

The committee on education reported back with amendments the bill to authorize school district No. 4 in Bon Homme county to issue bonds to erect a school house and recommend its passage.

The same committee also reported a general school law for the territory.

The committee on elections to which had been referred house file No.—for an act providing for the submission to the qualified voters the question of license for selling intoxicating liquors, reported it back recommending that the bill be referred to the judiciary committee, which recommendation was adopted.

The special committee on the Black Hills reported a substitute for the house bill defining the boundaries of counties in the Black Hills which was ordered printed.

Mr. Clarkson offered the following resolution, which was adopted.

Resolved, That the secretary of the territory be requested to inform this house whether the United States statutes on the subject limiting the duration of the sessions of this assembly to forty days is intended to include Sundays, or if this assembly can sit forty working days; and to ascertain the opinion of the attorney general of the United States on the subject, if none has already been had.

Mr. Ziebach gave notice of a joint resolution providing for the payment of C. J. B. Harris for his services and expenses in preparing a revision of the laws of this territory.

Mr. Beadle, by consent, introduced a bill in regard to immigration, and moved a suspension of the rules that the bill might pass, which motion was lost.

Several bills were read a second time and referred to appropriate committees.

BILLS PASSED.

House file No. 20, to repeal chapter 32 of the special laws of 1868-9.

House file No. 21, authorizing school district No. 4, in Bon Homme county to issue bonds for the purposes of erecting a school building.

House file No. 26, authorizing the commissioners of Union county to aid in rebuilding a bridge across the Big Sioux river without first submitting the question to the people.

House file No. 31, a memorial for the right of way for a railroad from Fort Abraham Lincoln to the Little Missouri river in the territory of Dakota.

The house made house file No. 4, a bill for a penal code, a special order at 2 p. m. When a recess was taken until 3 p. m.

AFTERNOON SESSION.

The house met at 2 p. m., and was called to order by the speaker.

The house then went into committee of the whole, Mr. Coddington in the chair, for the consideration of the political code.

After some time spent therein, the committee rose, reported progress, and asked leave to sit again.

The house then adjourned.