

Daily Press and Dakotian.

Vol. 2.

YANKTON, DAKOTA TERRITORY, THURSDAY EVENING, FEBRUARY 1, 1877.

No. 237.

THE DAKOTA LEGISLATURE.

TWELFTH SESSION.

Twenty-Third Day.

Council.

UNFINISHED BUSINESS.

Wednesday, Jan. 31.

A message was received from the governor containing his nominations for territorial positions, which message was placed in the hands of the clerk without action.

On motion of Mr. Bailey, council bill 16, for the organization of an immigration bureau, was read a third time and put upon its passage.

After considerable discussion the bill was passed by the following vote: Ayes—Messrs. Bailey, Duncan, LaMoure, Mills, Pettigrew, Valentine, Wallace, Wilson—8. Noes—Messrs. Back, Gunderson, Miner, Potter—4.

Mr. Pettigrew moved that the vote be reconsidered and that the motion be laid on the table. Adopted. A message was received from the house announcing the passage of house files 26 and 17 and asking concurrent action.

Council bill 12, to regulate contested election cases, was brought up and passed by a unanimous vote.

Council adjourned.

Council.

Thursday, Feb. 1.

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.

After the reading of the minutes of the previous day, Mr. La Moure asked for permission to change his vote on the passage of the bill providing for a board of immigration. He had voted in the affirmative for the purpose of gaining an opportunity to move for a reconsideration of the vote whereby the bill was passed, but was prevented from making such motion and did not want to stand on the record as voting for the bill.

The president ruled that he could not now change his vote.

REPORTS OF STANDING COMMITTEES.

Mr. Miner, from the judiciary committee, reported favorably on house file 18, and recommended its passage.

Mr. Back, from committee on engrossed bills, reported council bills 14 and 17 as correctly engrossed.

Mr. La Moure, from the committee on counties, reported council bill 21 with a recommendation that it do not pass.

MOTIONS AND RESOLUTIONS.

Mr. Pettigrew moved to reconsider the vote by which house file 19 was lost. The motion was adopted and the bill passed. This is a bill to legalize the organization of the board of county commissioners of Brookings county.

Mr. Mills moved to reconsider vote by which house file 27 was lost. The motion was adopted and the bill passed. It provides for the location of a territorial road from Firesteel to Ft. Thompson.

INTRODUCTION OF BILLS.

Mr. Bailey, from the committee on finance, introduced a bill from his committee to empower the commissioners of Union county to appoint a drainage commission. The bill had two readings and was referred to the committee on expenditures, consisting of Messrs. Duncan, La Moure and Potter.

Mr. Bailey, from the same committee, introduced a bill to fix the rate of tax for 1878 and 1879, for territorial purposes and for the levy of the same. Read twice and referred.

READING OF BILLS.

Council bill 25 was read a second time and referred to the committee on territories, consisting of Messrs. Wilson, Pettigrew and Wallace.

Council bill 21, reported back from the committee on counties, was brought up and on motion of Mr. Wallace, was indefinitely postponed. This is the bill presented by Mr. Potter defining the boundaries of the Black Hill counties, and providing for the appointment of certain persons as commissioners.

House file 26 had its first and second readings, and on motion of Mr. Duncan, was referred to the committee on expenditures, consisting of Messrs. Duncan, La Moure and Potter.

House file 17 had two separate readings and was referred to the committee on elections, consisting of Messrs. Potter, Miner and Wilson.

House file 22 had two separate readings and was referred to the committee of the whole and made the special order for 10:30 to-morrow.

House file 18, to attach Ransom county to Richland county for recording purposes, was brought up.

Mr. Back moved to strike out the word Richland and insert in its place the word Cass.

After a lengthy argument, Mr. Back withdrew his motion to amend and the bill was read a third time and passed by a unanimous vote.

House file 23, a bill to repeal sections two and three of chapter five, and sections two and three of chapter six of the private and local laws of 1874-5, was taken up and lost, by the following vote: Ayes—Messrs. Bailey, Miner, Mills, Valentine—4. Noes—Messrs. Back, Duncan, Gunderson, La Moure, Pettigrew, Potter, Wallace, Mr. President—8.

Mr. Pettigrew moved that the vote by which the bill was lost be reconsidered and that the motion be laid on to table. The motion was adopted.

The bill was again put upon its passage and adopted, Mr. La Moure and Mr. President voting in the negative and balance in the affirmative.

On motion of Mr. Bailey, the council went into executive session.

After executive session, a recess was taken until two o'clock, p. m.

AFTERNOON SESSION.

The council met at 2 o'clock p. m. and, on motion of Mr. Bailey, went into committee of the whole, Mr. Mills in the chair, on the civil code.

House.

Wednesday, Jan. 31.

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

Prayer by chaplain.

Roll called.

Members all present.

Minutes read and approved.

A communication was received from the Governor, transmitting the action of the Minnesota legislature on the subject of grasshoppers. The communication and accompanying papers were referred to the committee on agriculture.

Mr. Hackett introduced a bill for an act to provide for the payment of counsel fees in certain criminal cases, which was read a first time.

On motion of Mr. Coddington, the vote by which house file No. 20 passed was reconsidered, and the bill laid upon the table.

SECOND READING OF COUNCIL BILLS.

No. 15, a bill for an act to extend the time of paying taxes of 1876 in Minnehaha county without penalty or interest. Referred to committee on counties and townships.

No. 18, a memorial asking for an appropriation to improve the navigation of the Red River of the North. The rules were suspended, the bill read a third time and passed.

On motion of Mr. Coddington, the second reading of house file No. 37, a bill for an act locating certain highways over the Indian reservation to the Black Hills was postponed and made the special order at 2 o'clock this afternoon.

On motion of Mr. Dunham, house file No. 22, to define the boundaries of and name certain counties in the territory of Dakota, was read a third time at length.

After considerable discussion, the bill was made the special order at 2 o'clock.

The house then took a recess until 2 p. m.

AFTERNOON SESSION.

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

The special order being the second reading of house file No. 37, an act to provide for the location and improvement of certain highways from the Missouri river to the Black Hills of Dakota, was taken up and read.

On motion of Mr. Coddington, the bill was referred to the special committee on Black Hills.

The house then resolved itself into committee of the whole, Mr. Coddington in the chair, for the further consideration of house file No. 4, an act for a political code.

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

The report and recommendations of the committee were adopted.

The special order being house file No. 22, an act to define the boundaries of and name certain counties in the territory of Dakota, was taken up, and after being amended, passed.

The house then adjourned.

Thursday, Feb. 1.

House met at 10 a. m. and was called to order by the speaker.

Prayer by the chaplain.

Roll called, members all present.

Minutes read and approved.

REPORTS OF COMMITTEES.

Mr. Hexom, from committee on enrollment, reported house file No. 7 correctly enrolled.

Mr. Beadle, from judiciary committee, reported back several chapters of the code which had been referred to that committee, and recommended their passage.

Mr. Hopkins, from committee on agriculture, reported a substitute for house file No. 33, an act to prohibit the killing of birds that eat or destroy insects, and recommended its passage.

Mr. Adams, from the committee on agriculture, reported back council bill No. 11, granting to Dan'l F. Brawley the right to establish and maintain a jury across the Red River of the North, and recommended that the bill do not pass.

Mr. Clarkson introduced the following concurrent resolution which was adopted:

WHEREAS, The business necessarily coming before this assembly, in codification of the laws of the territory, is of great magnitude and of the utmost importance to the judicial interests of the territory.

AND WHEREAS, The probable early ratification of an agreement for the cession of the Black Hills made by a commission appointed by the president for that purpose, renders legislation on the part of this assembly necessary for the best interests and welfare of that country.

AND WHEREAS, The session of this legislative assembly is too short for the accomplishment of the work in hand; Therefore,

Be it Resolved, the council concurring, that our delegate in congress, the Hon. J. P. Kidder be requested to ask of congress an extension of their legislative assembly of this territory for the period of twenty days beyond its usual time, and that a copy of this resolution be forwarded to the Hon. J. P. Kidder, our delegate in congress.

A message from the council informed the house that the council had passed house files Nos. 19, 21, 27 and 31, and council bills Nos. 22 and 24.

Mr. Iverson introduced a bill for the registration of the voters in towns and cities having over 500 inhabitants.

Council bill No. 14, granting a ferry charter to Daniel F. Brawley, was read a third time, and being put upon its passage, the bill was lost.

House file No. 36, a joint resolution to pay C. J. A. Harris for certain services, was

read a second time, and referred to the committee on public printing.

House file No. 33, a bill in relation to destroying birds, was taken up, its further consideration postponed until to-morrow, and the bill ordered printed.

The house then took up for consideration of chapter 30 of house file No. 4, relating to revenue, and proceeded to read the same the second time.

After the reading of a portion of the bill and making sundry amendments, the house took a recess until 2 p. m.