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YANKTON, DAKOTA TERRITORY, TUESDAY EVENING, FEBRUARY 13, 1877.

No. 247.

THE DAKOTA LEGISLATURE.

TWELFTH SESSION.

Council.

Monday, Feb. 12.

Mr. Burleigh, from the committee to whom was referred house file 17, a bill for a new charter for the city of Yankton, reported the bill back with a recommendation that it do not pass.

On motion of Mr. Burleigh the rules were suspended, the bill indefinitely postponed, by unanimous vote.

On motion a recess of fifteen minutes was taken.

AFTER RECESS.

Mr. Mills, from committee on enrollment, reported that council bills 38, 39 and 28 had been transmitted to the governor for his signature.

On motion of Mr. Bailey, a call of the house was made and the sergeant-at-arms was sent out to look up Messrs. Miner, La-Moure, and Pettigrew.

A message from the house was received giving notice that the house had refused to recede from its amendment to council bill 19, the Fargo charter, had passed council bills 41 and refused to pass council bill 42, had passed house file 24, 56 and 55 and had receded from its amendments to sections 6 and 13 of council bill 33.

Messrs. Miner, Pettigrew and La Moure came into the council room and took their seats.

On motion of Mr. Pettigrew, Mr. Back was appointed a committee of conference on council bill 19.

Under a suspension of rules house files 24 and 55 were taken up. The former was referred to the committee on counties and the latter, a memorial to congress asking that settlers on lands set apart by executive proclamations, of Jan. 11 and May 20, 1875, be reimbursed for improvements, was passed.

The council then adjourned.

Tuesday, Feb. 13.

The council convened at 10 o'clock a. m. and was opened with prayer by the chaplain.

Present all the members.

A message was received from the house announcing the passage of house file 39, providing for the registration of voters in towns and cities having over 500 inhabitants, and the passage of the first twenty-seven chapters of the political code, and asked the concurrence of the council in both. The house also asked for the return of council bill 42, which the house had refused to pass.

REPORTS OF COMMITTEES.

Mr. Wilson, from the committee on territorial affairs, reported back council bill 48 with a recommendation that it pass.

Mr. Pettigrew from the committee on apportionment, reported back council bill 44 with amendments and a recommendation that it pass.

Mr. La Moure, from the committee on counties, reported back house files 47 and 24 and council bill 46 without recommendation.

Mr. Bailey, from the special conference committee on house file 1, reported that the committee had considered the bill and had agreed upon the following report:

That the house concur in all the amendments of the council excepting the following from which the house recedes:

The amendment to section 975; the amendment to 1319; the amendment to subdivision 4 of section 1736; the article on wagon roads.

That section 2 article 8 be stricken out and the following substituted:

The legislative assembly may at any time amend this chapter or any article or section thereof.

On motion of Mr. Pettigrew the report of the conference committee was adopted.

COUNCIL BILLS.

Mr. LaMoure introduced council bill 51, to encourage the growth of forest trees. Referred to the committee on territories.

Mr. Potter introduced council bill 42, to amend the act regulating ferries in the organized counties of Dakota territory. Referred to the committee on highways bridges and ferries.

Mr. Burleigh introduced council bill 53, to amend the charter of Yankton. Referred to the delegation from Yankton.

Council bill 44, reported back from the special committee on apportionment came up with amendments reported from the conference committee.

On motion of Mr. Pettigrew, the amendments were adopted and the bill as amended was referred to committee of the whole.

Council bill 49, to regulate the tolls of the ferries between Bismarck and Point Pleasant and Fort Lincoln came up for its third reading and, on motion of Mr. Wilson, the rules were suspended and the bill passed by unanimous vote.

Council bill 46, to authorize the county commissioners of Bon Homme county to fund the outstanding indebtedness of said county, was brought up, variously amended, and passed by the following vote:

Ayes—Messrs. Bailey, Duncan, La-Moure, Mills, Pettigrew, Potter, Valentine, Wallace, Wilson, Mr. President—10.
Noes—Messrs. Back, Gunderson, Miner—5.

HOUSE BILLS.

House file 39 had its first and second reading and was referred to the committee on counties.

House file 56 had its first and second readings and was referred to the committee on territorial affairs.

House file 47, changing the boundaries of Hamlin county and creating the county of Coddington, had its third reading and was passed by the following vote:

Ayes—Messrs. Duncan, Mills, Pettigrew, Valentine, Wallace, Wilson—6.
Noes—Messrs. Back, Gunderson, Miner, Potter, Mr. President—5.

House file 24, a substitute, creating new counties and defining the boundaries thereof, came up for its third reading.

On motion of Mr. Back the name of Emma was stricken out and Topsy Jane substituted as the name of the county mentioned in the first section.

The bill was then on motion of Mr. Valentine, indefinitely postponed.

UNFINISHED BUSINESS.

House file 41, to locate a territorial road from Swan Lake to Sioux Falls, was taken up as special order, and was, on motion of Mr. Pettigrew, laid upon the table.

On motion of Mr. Pettigrew, house file 41 was taken from the table and referred to the committee on finance.

COMMITTEE OF THE WHOLE.

On motion of Mr. Wallace the council went into committee of the whole, on council bill 44, Mr. Mills in the chair. This bill is the one introduced by Mr. Bailey and provides for the appointment of the legislative representation of the territory.

House.

AFTERNOON SESSION.

Monday, Feb. 12, 1877.

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

A message from the governor informed the house that he had approved

House file No. 22, an act to define the boundaries and name certain counties in the territory of Dakota; and

House file No. 37, an act to provide for the location and improvement of certain highways from the Missouri river to the Black Hills.

Mr. Coddington reported house file No. 35 correctly enrolled.

A message informed the house that the council had passed house file No. 46, an act for the payment of delinquent taxes in the county of Lincoln.

Mr. Iversen, from the conference committee on council bill No. 33, in relation to the indebtedness of Yankton county, made a report recommending that the house recede from the amendments to sections six and thirteen of said bill. The report of the committee was adopted.

The house then went into committee of the whole, Mr. Clarkson in the chair, and resumed consideration of chapter 41, of house file No. 4.

After some time spent therein the committee arose and reported sundry amendments, and recommended that the bill do pass.

The chapter under consideration was that creating a public school law for the territory, and the principal amendments recommended by the committee were to strike out everything in the bill relating to the territorial superintendent of public instruction.

Mr. Clarkson moved that the recommendations of the committee be not adopted. The motion was lost.

Mr. Thompson moved that the report of the committee of the whole be adopted.

Pending this motion a call of the house was ordered, and Messrs. Beadle and Van Tassel were absent.

After some time a motion to suspend further proceedings under the call was made and carried.

The question then recurred upon the motion to adopt the report of the committee, and it was adopted.

Mr. Beadle presented a substitute for chapter 9 of the political code creating a bureau of immigration, which, on motion was substituted for chapter 9.

Mr. Coddington reported that house file No. 35, creating a justice's code, had been presented to the governor for his signature.

The house then took up for consideration chapter 41 of the political code, relating to the fees and compensation of public officers.

Without concluding the consideration of the bill, the house adjourned.