



DAKOTA'S LEGISLATURE.

The Press and Dakotian's Report of the Proceedings of the Council and House of Representatives.

Fourteenth Session—18th Day.

Council.

Friday, January 28.—The council met at 10 a. m., the president in the chair and all the members in their seats.

Prayer by the chaplain.

Minutes read and approved.

REPORTS OF COMMITTEES

Mr. Jolley, from the committee on engrossed and enrolled bills reported that Council bill 7, authorizing the commissioners of Lincoln county to settle with Geo. W. Naylor, ex-county treasurer;

Council bill 8, authorizing Lincoln county to issue bonds for the erection of a jail; and

Council bill 18, empowering county commissioners to act as boards of health for their respective counties, had been presented to the governor for his consideration.

And also reported council bill No. 6, providing extra compensation for the judge of first district, correctly enrolled.

NOTICE OF BILLS.

By Mr. Wiggins—For an act to repeal section 19, chapter 39 of the political code, relating to fees of probate judges.

By Mr. Gamble—For an act to amend chapter 13 of the political code relating to the sub-division of judicial districts.

INTRODUCTION OF BILLS.

By Mr. Walsh—To amend section 10 article 2, of an act incorporating the city of Elk Point.

By Mr. Fisher—For an act authorizing the issue of bonds for the construction of a hospital for the insane and to provide for the building of the same.

By Mr. Scooby—For an act providing the manner of contesting the election of county officers.

Also—For an act to amend section 1804 of the civil code.

Also—For an act to amend section 7, chapter 39 of the political code.

Which several bills were read a first time.

COUNCIL BILLS.

The following bills had their second reading and were referred as follows:

No. 31.—A bill for an act to provide funds for building a penitentiary at Sioux Falls, and for other purposes, to the committee on finance and expenditures.

No. 23.—A bill for an act to amend section 11, chapter 39, of the political code. To the judiciary committee.

No. 33.—A bill for an act to amend section 23 of the political code and chapter 49 of the session laws of 1879. To the committee on finances and expenditures.

HOUSE FILES

were read a second time and referred as follows:

No. 11, legalizing the acts of the trustees of Dell Rapids, and for other purposes. To the committee on railroads.

No. 21, respecting the burning of prairies in the counties of Lawrence, Pennington, Custer, Forsythe and Mandan. To committee on judiciary.

No. 25, to amend section 67 of chapter 29 of the political code. To the committees on highways and bridges and judiciary.

No. 32, to amend section 101 of chapter 1 of the justices' code. To committee on judiciary.

EXECUTIVE SESSION.

On motion of Mr. Wilson, the vote making the governor's message a special order at 2 o'clock this afternoon, was reconsidered.

On motion of Mr. Day the council then went into executive session.

ADJOURNMENT.

At the conclusion of the executive session, the council adjourned.

House.

Friday, Jan. 28.—The house convened at ten o'clock a. m., and was opened with prayer by the chaplain.

Mr. speaker in the chair and all the members present except Mr. Van Osdel, who was excused on account of sickness.

The journal of the preceding session was read and approved.

COUNCIL MESSAGE.

A message was received from the council announcing the passage by that body of council bills 5 (substitute), 11 (substitute), 15, 21, 22 (substitute), 23, and asking the concurrence of the house therein.

Also the passage of house files 4 and 19, which were returned.

The order of business was taken up where it was yesterday left off.

HOUSE BILLS.

House file forty-two, relating to marks and brands on cattle, had its second reading and was referred to the committee on agriculture and manufactures.

House file forty-three to protect the passage of fish in the rivers of Dakota, had its second reading and was referred to the committee on territorial affairs.

House file forty-four, to amend section three of the justice's code, had its second reading and was referred to the committee on judiciary.

House file forty-six, relating to the manner of holding coroner's inquests, had its second reading and was referred to the committee on territorial affairs.

House file forty-eight, authorizing school district number one to issue bonds to build a school house, had its second reading and was referred to the committee on education.

House file forty-one, authorizing the commissioners of Barnes county to issue bonds for public improvements, had its third reading, the council amendments were adopted and the bill was passed, Mr. Thompson alone voting in the negative.

House file thirty-four, for the protection of stock and the punishment of cer-

tain offenses in connection therewith, had its third reading and was passed by vote of twenty to three, Messrs. Baynes, Inman and LaMoure voting in the negative, and all the other members present in the affirmative.

COMMITTEE REPORTS.

Mr. Donaldson, from the committee on ways and means, reported back house file one with a recommendation that it be referred to the committee of the whole and made the special order for 2 o'clock this afternoon, in connection with house file eight. Report adopted. These bills relate to a local railroad tax.

Mr. Ellefson, from the committee on agriculture and manufactures, reported house file thirty-nine with a recommendation that it pass.

The report was adopted. It provides for a fence law in the Black Hills counties.

Mr. Warner, from the committee on education, reported back house file thirty-one, to amend the public school law, with a recommendation that it pass. The report was adopted.

NOTICE OF BILLS.

By Mr. French—To provide for the payment of costs in criminal cases in unorganized counties. Also to amend section 501 of the political code.

By Mr. Hale—To amend section 166 of the code of criminal procedure.

By Mr. Kennedy—To vacate the town-site of Madison, in Lake county.

By Mr. Donaldson—To enable certain school districts in Grant county to issue bonds for the construction of school houses.

By Mr. Nomland—To create the county of Ole Bull and define the boundaries thereof.

INTRODUCTION OF BILLS.

By Mr. Inman—House file 50—to amend the act authorizing the appointment of short hand reporters in district courts.

By Mr. Wells—House file 51—to define the boundaries of the third judicial district and fix the time for holding court therein.

COUNCIL BILLS.

Council bills 21, 5, 11, 15, 22 and 23 had their first reading.

Council bill 27, amending the political code, had its second reading and was referred to the committee on judiciary.

Council bill 29, to legalize the acts of George H. Walsh as notary public, had its second reading and was referred to the committee on judiciary.

Council bill 14, a memorial to congress asking the repeal of the law requiring the publication of final proof notices, had its third reading and was passed by a vote of 15 to 7, Messrs. Baynes, Boyles, Cross, Dickey, Kennedy, Nomland and Wells voting in the negative.

Mr. French gave notice of an intention to move a reconsideration of the vote by which the memorial passed.

Council bill 2, to provide for the location and construction of a territorial penitentiary, came up for final passage.

Mr. French moved that the bill be read and acted upon section by section.

Mr. Boyles protested against the adoption of this motion.

Mr. Ellefson moved that the motion be laid upon the table and Mr. French withdrew it.

The bill then passed by unanimous vote.

RECESS.

The house at 11:30, took a recess till 2 o'clock p. m.

THE RAILROAD BILLS.

The railroad local tax bills were both defeated in the house late this afternoon, by a vote of nineteen to five, Messrs. Baynes, Boyles, Cross, Dickey, Donaldson, Ellefson, French, Hale, Kennedy, La Moure, Landman, McBratney, Miller, Nomland, Thielman, Thorne, Warner Wells and Mr. Speaker voting against them, and Messrs. Inman, Rohr, Thompson and Van Osdel for them. Proceedings in detail will be given to-morrow.