

DAKOTA'S LEGISLATURE.

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

Fourteenth Session.—39th Day.

Council.

Friday, February 18.—The council met at 9 o'clock a. m., and was called to order by the president.

Roll call showed members all present. Minutes read and approved.

REPORTS OF STANDING COMMITTEES.

Mr. Jolley, from the committee on enrolled and engrossed bills, reported that on yesterday he presented to the governor the following council bills:

No. 33, extending the time of making assessments to the first of May.

No. 123, amending section 33, of chapter 27, of the political code.

No. 81, to incorporate the city of Grand Forks.

Mr. Walsh, from the committee on highways and bridges, reported back and recommended the passage of council bill 123, providing that physicians shall not be entitled to the provisions of the exemption laws.

Mr. Jolley, from the committee on judiciary, reported with amendments and recommended the passage of house file 174, supplementary to house file 95, to create the county of Walsh and define the boundaries thereof, which report was adopted.

Mr. Day, from the committee on counties, reported and recommended the passage of house file 110, to incorporate the village of Mandan, and house 83, to define the boundaries of McCook county.

Mr. Martin, from the committee on mines and mining, reported with amendments council bill 122, relating to water rights, and recommended its passage as amended.

Mr. Gamble, from the committee on judiciary, reported with amendments house file 98, and recommending its passage as amended.

Mr. Day, from the committee on counties, reported back and recommended the passage of council bill 128 and house file 111.

MESSAGE FROM THE HOUSE.

A message was received from the house announcing the passage by that body of council bill 134, to incorporate the city of Canton; also the passage of house files 24, 78, 91, 95, 113, 116, 110, 127, 169, 171, 175 and 176, and asking the concurrence of the council therein.

MESSAGE FROM THE GOVERNOR.

A message was received from the governor announcing the approval of the following council bills:

No. 11, an act to amend section 96 of the justices' code.

No. 28, an act making provision for the schooling of children in any organized district.

No. 49, an act to amend section 49, chapter 28, of the political code.

No. 56, an act to amend section 62 of chapter 24, of the political code, entitled incorporation of towns and cities.

No. 57, an act to amend an act providing a board of education for the city of Fargo and regulating the public schools therein.

No. 73, an act to authorize the president and trustees of the village of Sioux Falls to fund its outstanding indebtedness, and to issue bonds to protect said village against loss by fire.

No. 85, an act to prevent nuisances along the Red river of the north and its tributaries.

No. 126, an act to provide funds for the purpose of building a penitentiary for Dakota territory at Sioux Falls, and for other purposes.

No. 40, an act to amend an act entitled an act to establish a public school law for Dakota.

INTRODUCTION OF BILLS.

By Mr. Wallace—For an act to provide for the election of justice of the peace in and for the county of Morton.

Also, for an act to fund the indebtedness of the city of Bismarck.

Also, for an act to amend an act entitled an act to fund the indebtedness of the counties of Moody, Brookings, Barleigh and Grand Forks.

By Mr. President—For an act to change the name of the town of Stickney in Grand Forks to that of Ojata.

By Mr. Fisher—For an act legalizing and making valid ordinance No. 53 of the city of Fargo, relating to the construction of street railroads in said city.

COUNCIL BILLS.

No. 135, to amend the charter of the city of Bismarck, was passed under a suspension of the rules.

No. 136, fixing the time when taxes shall become delinquent for the year 1880, was read a second time and referred to the committee on counties.

No. 137, to amend section 4 chapter 50 of the political code, relating to the registration of warrants, was read a second time and referred to the committee on judiciary.

DISPOSING OF VETOS.

A message was received from the house stating that body had concurred with the council in passing over the governor's veto council bill 22, repealing those provisions of the political code which require a married woman to be examined apart from her husband before signing an instrument transferring property; and that the house had passed over the veto of the governor house files 35 and 63, respectively, creating the new counties of Walsh and Griggs, and asking the council to concur in the action of the house on said bills.

The governor's message on house file 63, creating the county of Griggs, was read and the roll being called upon the question of the passage of the bill, notwithstanding the objections of the governor, the vote resulted in ayes 9, noes 3—Messrs. Day, Seobey and Wilson voting in the negative. So the bill passed.

On house file 35, creating the county of Walsh, the vote to pass it over the

veto, was ayes 10, noes 2—Messrs. Day and Seobey voting in the negative.

THIRD READING.

The following council bills were read a third time and disposed of as follows: No. 122, relating to water rights. Passed.

No. 128, to vacate a portion of Rudolph's addition to the town of Canton. Passed.

No. 120, a bill providing that physicians shall not be entitled to the benefits of the exemption law. Lost—ayes, 4; noes, 8.

Mr. Wilson moved that the vote last taken be reconsidered, and stated in favor of his motion that the legislature had passed a law repealing the exemption law as against physicians' bills, and the bill now under consideration would place them on the same footing with their patients. The motion to reconsider was lost.

HOUSE FILES.

The house files transmitted in the message received from the house this morning were given their first reading.

The following house files had their second reading and reference as indicated:

No. 72, to authorize counties to issue bonds for the erection of public buildings, to the committee on counties.

No. 100, to prevent the division of organized counties in certain cases, to the committee on territorial affairs.

No. 132, legalizing the acts of the commissioners of Lake county, to the committee on counties.

The following house files were read a third time and passed:

No. 110, to incorporate the town of Mandan.

No. 109, defining the boundaries of La Moure county.

No. 83, defining the boundaries of McCook county.

No. 98, providing that all deeds, etc., made in unorganized counties shall be recorded in the county to which such unorganized counties are attached for judicial purposes.

No. 174, supplemental to house file No. 35, more definitely defining the boundaries of Walsh county, was after its third reading, on motion, re-committed to the judiciary committee.

MESSAGE FROM THE HOUSE.

A message was received from the house announcing the passage of house file 177, making an appropriation to compensate the chief clerks of the council and house for completing the records of their respective houses, and file 178, to incorporate the village of Scotland, Bon Homme county.

ADJOURNMENT.

On motion of Mr. Wilson, the council adjourned until 9 o'clock to-morrow morning.

House.

Friday, February 18.—House convened at 10 a. m. and was opened by prayer by the chaplain.

Mr. Speaker in the chair and all members present.

The journal of the preceding session was read and approved.

VAN OSDEL'S EXTRAVAGANCE.

While the journal was being read a motion was made that there be expunged from the record the motion of Mr. Van Osdel that the per diem of clerks to finish up the business of the session be raised from six dollars per day to fifteen dollars per day and that the time for the work be extended from twenty-five days to sixty days. It was the desire of Mr. Van Osdel that nothing should appear upon the record implicating him in advancing such extravagant ideas. Out of respect for Mr. Van Osdel, the house ordered that the unpleasant motion be stricken out and there is now nothing to show that Mr. Van Osdel ever made such a motion.

INCORPORATING SCOTLAND.

By unanimous consent, Mr. Landman introduced house file 278, to incorporate the village of Scotland, and, under a suspension of the rules, it had its several readings and was passed, Mr. Cross alone voting in the negative.

COMMITTEE OF THE WHOLE.

On motion of Mr. Thorne, the house, at 10:30 a. m. went into committee of the whole on the general order, Mr. Thorne in the chair.

At noon the committee rose, reported progress and asked leave to sit again. The report was accepted and adopted.

AFTERNOON SESSION.

The house reconvened at two p. m., Mr. Spenker in the chair and all the members present.

A TRAIL COUNTY BILL.

Mr. Nomland, by unanimous consent, introduced house file 179, to legalize the assessment of Trail county for the years 1879 and 1880.

Under a suspension of the rules, the bill had its several readings and was passed by a unanimous vote.

COMMITTEE OF THE WHOLE.

On motion of Mr. Kennedy, the house, at 2:15 p. m. went into committee of the whole on the general order, Mr. Thorne in the chair.

MESSAGE FROM THE GOVERNOR.

The house resumed session to receive a message from the governor, through his private secretary. The message announced the governor's approval of the following house bills:

Number 51, authorizing the purchase of 1,000 copies of the revised codes of Dakota.

Number 61, making an appropriation for furnishing and maintaining the Dakota hospital for the insane.

Number 76, vacating a portion of Foster's addition to the village of Rockport.

Number 84, legalizing the acts of W. T. Benman as a commissioners of Grant county.

Number 85, consolidating the plats of Big Stone City, Inkpa City and Geneva and legalizing the same under the name of Big Stone City.

Number 96, legalizing the assessment in Trail county for 1879 and 1880.

Number 129, authorizing the employment of assistant enrolling and engrossing clerks.

COMMITTEE OF THE WHOLE.

The committee of the whole renewed its session for the consideration of the general order.

BILL SIGNED.

The speaker announced that he had signed the following bills:

House file 26, relating to labor upon public roads.

House file 76, vacating a portion of Foster's addition to Rockport.

House file 80, defining the boundaries of the county seat of Richland county.

House file 84, legalizing the acts of W. T. Burman, commissioner of Grant county.

House file 85, to consolidate the plats of Big Stone City and others and make them all Big Stone City.

House file 81, providing for the election of commissioners in Union county.

House file 54, authorizing insurance companies to invest in real estate.

House file 78, relating to the issue of bonds for school house purposes in Grant and Deuel counties.

House file 61, incorporating the village of Egan.

House file 51, providing for the purchase of 1000 volumes of the revised codes.

House file 106, to combine and consolidate Custer and Forsythe counties.

House file fifty-four, authorizing insurance corporations to invest funds and accumulations in real estate.

House file 105, to incorporate the city of Deadwood.

House file 123, supplemental to house file nineteen.

Council bill seventy-one, dividing the county of Grand Forks into five commissioner districts.

Council bill thirteen, prescribing rules for the execution of trust under an act of congress for the relief of the inhabitants of towns and cities.

Council bill twenty-six, amending section thirty-one and thirty-three, chapter twenty-seven of the political code.

Council bill eighty-five, to prevent nuisances along the Red river.

Council bill 84, providing for the construction of a jail and bridges in Grand Forks county.

Council bill 73, authorizing the trustees of Sioux Falls to fund the outstanding indebtedness of Sioux Falls.

Number 49, to amend section 49, chapter 28, political code.

Number 18, making provision for the schooling of the children of organized districts.

Number 69, exempting the counties of the Black Hills from the provisions of chapter 34 of the revised code.

Council bill 11, amending section 96 of the justices' code.

Council bill 94, a memorial asking that a treaty be made, with the Turtle Indians.

Council bill 26, amending section 31 and 33 of chapter 26 of the political code.

Council bill 81, incorporating the city of Grand Forks.

Council bill 33, amending chapter 28 of the political code and chapter 49 of the laws of 1873.

Council, 22, amending paragraph three, section 693 of the civil code.

Council, 74, restoring the boundaries of Mercer county.

Council, 83, establishing school district number one of Grand Forks county as an independent district.

Council, 63, to amend section 53, chapter 21, political code.

Council, 77, for the service of process and papers on railroad corporations.

Council, 79, amending section 1445, article seven, chapter two, title ten of the civil code.

Council, 67, amending sections 39 and 40, article six, chapter one, justices' code.

Council, 62, amending section 332 of the code of civil procedure.