

DAKOTA'S LEGISLATURE.

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

Fourteenth Session—42nd Day.

Council.

Monday, February 21.—The council met at 10 a. m., and was called to order by the president.

Prayer by the chaplain.

Roll call showed all members present.

REPORTS OF COMMITTEES.

Mr. Jolley, from the committee on engrossed and enrolled bills, reported that he did on Saturday present to the governor for his approval of the following council bills:

No. 35, authorizing the issue of bonds to construct a hospital for the insane to provide for the building of the same.

No. 62, to amend section 332 of the code of civil procedure.

No. 63, to amend section 53 of chapter 21 of the political code.

No. 67, to amend sections 39 and 40, article 6, chapter 1, of the justices' code.

No. 74, restoring the boundaries of Mercer county.

No. 77, to amend section 102 of the code of civil procedure.

No. 79, to amend section 1,445 of article 7, chapter 2, of title 10, of the civil code.

No. 80, to amend section 89 of the justices' code.

No. 83, establishing independent school district No. 1, of Grand Forks county.

No. 118, authorizing the county commissioners of Charles Mix county to fund the outstanding indebtedness of said county.

Also, that he filed in the office of the secretary of the territory council bill 22, passed over the governor's veto.

Mr. Wallace, from the committee on immigration, reported back and recommended the passage of council bill 139, providing for the election of justices of the peace in Morton county.

Mr. Wiggin, from the committee on education, reported and recommended the passage of council bill 105, providing for compulsory education.

The same gentleman, reporting from the committee on agriculture, recommended the passage of house file 113.

Mr. Gamble, from the committee on judiciary, reported with amendments house file ; also, for a majority of the committee, without recommendation house file 23, reducing the exemptions from \$1,500 to \$800.

Mr. Jolley, from the same committee, presented a minority report on said bill, recommending that it do not pass.

Mr. Gamble, from the judiciary committee, reported with amendments council bill 133, to amend section 452 of the civil code, and house file 14 and 67, and recommending their passage as amended.

Mr. Wilson, from the judiciary committee, reported back council bill 137, to amend section 4 of chapter 50 of the political code, entitled "registration of warrants," and recommended its passage.

Mr. Jolley, from the committee on engrossed and enrolled bills, reported a number of bills correctly enrolled.

Mr. Day, from the committee on counties, reported with a recommendation that it pass, council bill 130, providing for the erection and construction of a court house and jail for the county of Hughes.

Mr. Gamble, from the judiciary committee, reported a substitute for house file 174, relating to the boundaries of Walsh county.

Mr. Day, from the committee on counties, reported back and recommended the passage of council bill 140, to change the name of the town of Stickney, in Grand Forks county to that of Ojata.

MESSAGE FROM THE HOUSE.

A message was received from the house announcing the passage by that body of the following council bills:

No. 72, authorizing the several school districts in Grand Forks county to issue bonds.

No. 78, exempting breaking upon government land from taxation.

No. 99, to protect fish in the waters of Dakota, excepting the Missouri and Red rivers, with amendments.

No. 101, to authorize Moody county to issue bonds to build a court house.

No. 110, amending section 12, chapter 18, of the session laws of 1872-3, creating new counties and defining their boundaries.

No. 120, to amend chapter 4 of the session laws of 1879, entitled an act concerning corporations and persons engaged in the business of banking, with amendments.

No. 123, to amend section 5, chapter 22 of the political code.

No. 138, to fund the indebtedness of the city of Bismarck.

No. 144, amend chapter 28 of the political code and chapter 49 of the session laws of 1879, entitled revenue.

No. 147, to incorporate the village of Brookings.

And that the house had indefinitely postponed council bill 61, to amend sections 33, 37 and 50, of chapter 59, of the session laws of 1879, entitled townships.

Also, the passage of house file 149, and that the house had failed to concur in all the council amendments to house file 15, and appointed conference committee thereon, Messrs. Cross, La Moure and Wells.

Also, that the house had passed a concurrent resolution prohibiting the introduction of new business after 12 m. on the 22nd.

On motion the rules were suspended and the resolution in regard to reception of new business passed, Mr. Wiggin alone voting in the negative.

In the further consideration of the house message the council concurred in the amendments to council bills 120 and 138, and refused to concur in the amendments to council bill 99, and appointed

as a conference committee Messrs. Scobey, Shaw and Wiggin.

FINAL ADJOURNMENT.

Mr. Jolley offered the following concurrent resolution:

Be it Resolved, By the legislative assembly of the territory of Dakota, that the legislative assembly of the territory of Dakota do adjourn without day on Monday, the 28th day of February, 1881, at noon of said day.

This resolution was opposed by several members in speeches, and finally, on motion of Mr. Scobey, was laid on the table.

RECONSIDERED.

On motion of Mr. Scobey the vote was reconsidered by which house file 132, relating to the acts of the commissioners of Lake county, was passed on Saturday.

INTRODUCTION OF BILLS.

By Mr. Fisher—For an act to amend the act creating a board of education for the city of Fargo.

Also, for an act for the incorporation of the city of Fargo.

By Mr. Wallace—For an act to authorize the county of Burleigh to fund its outstanding indebtedness.

By Mr. Gamble—For an act to amend sections 31 and 237 of the code of civil procedure.

By Mr. Fisher—For an act to amend an act relating to mechanic's liens.

COUNCIL BILLS.

The following council bills were read a second time and disposed of as indicated.

No. 143, to amend section 1, chapter 26 of the laws of 1879, entitled intoxicating liquors, to the judiciary committee.

No. 145, to amend section 667 of the code of civil procedure, to the judiciary committee.

No. 146, to amend section 13 of chapter 39 of the political code, to the committee on judiciary.

SUSPENSION OF RULES.

On motion, the rules were suspended and the following bills, introduced this morning passed:

No. 149, amending the act providing a board of education for the city of Fargo.

No. 150, to incorporate the city of Fargo.

No. 153, to authorize the commissioners of Burleigh county to fund the outstanding indebtedness of that county.

THIRD READING.

The following council bills were read a third time and passed:

No. 140, to change the name of the town of Stickney to Ojata.

No. 130, providing for the erection and construction of a court house and jail for the county of Hughes.

No. 137, to amend section 4, of chapter 50, of the political code, entitled "registration of warrants."

No. 133, to amend section 422 of the civil code.

No. 125, to prevent cruelty to animals, was, after its third reading, referred to the committee on judiciary.

No. 133, providing for the election of justices of the peace in Morton county.

HOUSE FILES.

The following house files were read and disposed of as indicated:

No. 149, relating to the international exhibition of 1883, was read a first and second time and referred to the committee on finance and expenditures.

No. 179, to legalize the assessments of Trail county, read a second time and referred to the committee on finance and expenditures.

No. 132, legalizing certain acts of the commissioners of Lake county, was read a third time, and re-committed to the committee on education.

No. 23, to reduce the exemptions from \$1,500 to \$1,000 and excluding single men from its benefits, was read a third time and lost,—ayes 4, noes 8—Messrs. Fisher, Martin, Wilson and Mr. President voting in the affirmative.

Mr. Shaw moved that the vote by which the bill was lost be reconsidered, which motion was lost.

Mr. Shaw moved that the vote by which the bill was lost be reconsidered, which motion was lost.

MESSAGE FROM THE GOVERNOR.

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

No. 63, to amend section 53 of chapter 21 of the political code.

No. 80, to amend section 89 of the justices' code.

No. 118, to authorize the commissioners of Charles Mix county to fund the outstanding indebtedness of said county.

RECESS.

On motion of Mr. Scobey, the council took a recess until 2 o'clock p. m.

House.

Monday, February 21.—The house convened at ten o'clock a. m. and was opened with prayer by the chaplain.

Mr. Speaker in the chair and all members present except Mr. Landman.

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 137 and 137, and house files 25, 87, 94, 165, 178, and 175. Also that the council had failed to concur in amendments to house file 100. Also, that the council had concurred in house amendments to council bill 119.

NEW BUSINESS RESTRICTED.

Mr. Warner, by unanimous consent, introduced a concurrent resolution specifying that after Tuesday noon, the 22nd inst., no new business be received without unanimous consent.

Mr. Kennedy moved that the rules be suspended and the resolution put upon its final passage. Adopted.

Mr. LaMoure moved that the resolution be adopted and it was adopted, Messrs. Ellefson, Hale, Moore, Rohr, Theilman and Thompson voting in the negative.

HOUSE BILLS.

The following house bills had their third reading and were referred as indicated:

Number 184, to locate and establish a territorial institution for the education of the blind, to the committee on charitable institutions.

Number 116, to amend sections 24 and 25 of chapter 46 of the laws of 1879, relating to the taxation of railroads, was referred to the committee on railroads.

Number 104, regulating insurance corporations and the business of insurance to the committee on insurance, banks and banking.

Number 101, a memorial to congress asking for increased appropriations for the survey of public lands, to the committee on ways and means.

Number 142, to amend subdivision two, chapter 28 of the political code, to the committee on finance and revenue.

Number 143, regulating the duties of county assessors and for other purposes, to the committee on finance and revenue.

Number 145, providing sanitary measures, to the committee on judiciary.

Number 146, relating to arms and accoutrements to be issued by the general government to the territory, and providing for the organization of militia, referred to the committee on territorial affairs.

Number 147, relating to peddlers' and auctioneers' licenses, under a suspension of the rules had its third reading and was passed, Mr. Van Osdel alone voting in the negative.

The following house bills had their third reading and were disposed of as indicated:

Number 70, to provide for the equalization of taxes in townships, was passed by unanimous vote.

Number, 98, to regulate toll for grinding, was rejected, 21 to 2: Messrs. Ellefson and Thompson voting in the affirmative.

Number 99, to incorporate the village of Walpeton, was passed; Mr. Cross alone voting in the negative.

Number 115, for the protection of inn and hotel keepers, was rejected, 14 to 8; Messrs. Cross, French, Hale, Thielman, Thompson, Thorne, VanOsdel and Warner voting in the negative.

Number 129, to amend section 12, chapter 27 of the political code, relating to voting and the form of ballot, was passed 18 to 3: Messrs. Rolr, Thielman and VanOsdel voting in the negative.

Number 180, supplemental to the act providing extra compensation for the judge of the first judicial district, was passed, 12 to 8, Messrs Boyles, French, Inman, LaMoure, McBratney, Warner, Wells and Mr. Speaker voting in the negative. The bill provides that the extra compensation of Judge Moody be \$24 per year instead of \$2,400.

Mr. Dickey moved that the vote by which the bill was passed be reconsidered and Mr. Cross moved to lay the motion on the table, which motion was adopted.

COUNCIL MESSAGE.

A message was received from the council announcing the passage by that body of council bills 149, 150 and 153.

On motion of Mr. Dickey the rules were suspended and the three bills put upon their third reading and final passage and were passed by unanimous vote.

Number 150 provides a new charter for the city of Fargo.

Number 149 amends the act providing a board of education for the city of Fargo.

Number 153, authorizes the commissioners of Burleigh county to fund the outstanding indebtedness of Burleigh county.

MESSAGE FROM THE GOVERNOR.

A message was received from the governor announcing his approval of house file twenty-six, amending section sixty-seven, chapter twenty-nine of the political code, and house file twenty-three, an act supplemental to the act providing for a jail and court house in Richland county.

MANDAN'S SCHOOL HOUSE.

On motion of Mr. Warner, the vote by which council bill seventy-five, providing for a school house at Mandan, was lost, be reconsidered, and the motion was carried.

RECESS.

The house, at noon, took a recess until two o'clock p. m.