

STATE OF NORTH DAKOTA.

JOURNAL OF THE HOUSE

OF THE

THIRD

LEGISLATIVE ASSEMBLY

BEGUN AND HELD AT THE

CAPITOL AT BISMARCK,

January 3, 1893, to March 3, 1893.

BISMARCK, N. D.:
TRIBUNE, STATE PRINTERS AND BINDERS,
1893.

MEMBERS AND OFFICERS

OF THE

House of Representatives of North Dakota

FOR THE
THIRD LEGISLATIVE ASSEMBLY, 1893.

MEMBERS.

District.	NAME.	Where Born.	Ancestry.	Occupation.	Came to State	Age.
12	Benedict, A. V., <i>r</i>	Illinois,	American,	Physician,	1888	40
27	Bentley, W. A., <i>r</i>	Connecticut,	English-Scotch,	Physician,	1887	52
23	Boynton, O. A., <i>r</i>	Ohio,	American,	Farmer,	1879	48
11	Bullard, Samuel, <i>r</i>	Massachusetts,	English-Irish,	Farmer,	1880	68
30	*Burkhardt, Louis, <i>r</i>	Germany,	Welsh-German,	Farmer,	1886	58
25	Caldwell, J. W., <i>i</i>	Wisconsin,	American,	Farmer,	1881	29
11	Churchill, Geo. S., <i>r</i>	Pennsylvania,	English,	Farmer,	1880	30
26	Cochrane, W. F., <i>r</i>	Ohio,	American,	Lawyer,	1885	33
28	Davis, John A., <i>r</i>	Pennsylvania,	German,	Farmer,	1882	46
12	Deans, John N., <i>d</i>	Pennsylvania	American,	Farmer,	1887	64
4	Ebbighausen, Chas., <i>d</i>	Germany,	German,	Farmer,	1882	47
14	Elliott, Thos. M., <i>i</i>	Ontario,	Scotch,	Farmer,	1880	38
35	Hagen, Hans O., <i>i</i>	Norway,	Norwegian,	Farmer,	1882	36
22	Hall, Ralph, <i>d</i>	Michigan,	English,	Farmer,	1882	40
12	Hallum, B. C., <i>d</i>	Norway,	Norwegian,	Farmer,	1876	39
6	Halvorson, Thos., <i>r</i>	Norway,	Norwegian,	Merchant,	1880	37
20	*Havrevold, L. P., <i>r</i>	Norway,	Norwegian,	Farmer,	1882	40
7	Haugen, Arne P., <i>r</i>	Norway,	Norwegian,	Farmer,	1882	47
13	*Hodgson, Jno. E., <i>i</i>	Ontario,	Canadian,	Farmer,	1886	34
2	Holliday, F. A., <i>d</i>	Ontario,	Scotch,	Farmer,	1881	49
1	Horgan, John Patrick, <i>d</i> ..	Ontario,	Irish,	Farmer,	1880	39
8	Hurley, H. D., <i>r</i>	New York,	Irish,	Farmer,	1879	39
1	*James, Benj., <i>d</i>	Canada,	Canadian,	Merchant,	1881	34
5	Johnson, A. J., <i>d</i>	Iowa,	English,	Merchant,	1882	35
13	Johnson, Theo., <i>i</i>	Norway,	Norwegian,	Farmer,	1882	44
14	*Johnston, W. R., <i>d</i>	Ontario,	Scotch-Irish,	Farmer,	1878	33
21	*Kelley, Patrick, <i>i</i>	Ireland,	Irish,	Farmer,	1883	41
8	Larson, Lars H., <i>r</i>	Norway,	Norwegian,	Farmer,	1879	39
17	Lee, Siver M., <i>i</i>	Norway,	Norwegian,	Farmer,	1881	45
3	Levang, Knud P., <i>i</i>	Wisconsin,	Norwegian,	Farmer,	1880	43
15	Logan, John, <i>i</i>	Minnesota,	Irish,	Farmer,	1880	36
21	Lohnes, Ed. H., <i>r</i>	New York,	Dutch,	Farmer,	1867	48
11	McArthur, J. B., <i>r</i>	Michigan,	Scotch,	Farmer,	1880	39
19	McCanna, D. W., <i>d</i>	Vermont,	American,	Farmer,	1881	40
16	McCulloch, Wm. T., <i>d</i>	Ontario,	Scotch,	Farmer,	1880	50
18	*McLean, Fred N., <i>d</i>	Nova Scotia,	Scotch,	Editor,	1880	24
9	Newman, Seth, <i>r</i>	New York,	American,	Lawyer,	1882	56
14	Oliver, Harry S., <i>r</i>	New York,	English,	Farmer,	1880	37
20	Oksendahl, Thos. H., <i>r</i> ...	Norway,	Norwegian,	Farmer,	1884	30
4	O'Keefe, W., <i>d</i>	Ontario,	Irish,	Merchant,	1880	53
5	Pierce, J. D., <i>r</i>	New York,	American,	Farmer,	1883	35
18	*Plain, Chas. W., <i>d</i>	Illinois,	German,	Farmer & Merchant,	1888	35
8	Rinde, N. H., <i>i</i>	Minnesota,	Norwegian,	Farmer,	1880	37

MEMBERS—Continued.

District.	NAME.	Where Born.	Ancestry.	Occupation,	Came to State.	Age.
10	Ritter, Benj. F., <i>r</i>	Indiana,	American,	Farmer,	1888	47
10	Severson, Elling, <i>r</i>	Wisconsin,	Scandinavian,	Farmer,	1880	89
8	Strom, H. H., <i>r</i>	Norway,	Norwegian,	Farmer,	1878	47
9	Southard, Harry C., <i>r</i>	Maine,	American,	Lawyer,	1882	82
31	Simpson, Leslie A., <i>r</i>	Maine,	American,	Lawyer,	1889	25
29	Satterlund, John, <i>r</i>	Sweden,	Swede,	Merchant,	1878	41
22	Sanford, A. C., <i>d</i>	Michigan,	American,	Farmer,	1882	37
2	Thexton, Robert, <i>d</i>	Ontario,	English,	Farmer,	1881	42
16	Thompson, Lewis, <i>i</i>	Wisconsin,	Norwegian,	Farmer,	1877	87
25	Towers, Geo. W., <i>i</i>	England,	English,	Farmer,	1882	47
10	Tufts, D. C., <i>r</i>	Maine,	American,	Farmer,	1877	41
24	Ueland, L. A., <i>i</i>	Wisconsin,	Norwegian,	Farmer,	1887	87
30	Veeder, John S., <i>r</i>	Wisconsin,	Dutch,	Railroader,	1881	46
8	Wallen, Ole S., <i>r</i>	Norway,	Norwegian,	Farmer,	1879	43
26	Wishek, J. H., <i>r</i>	Pennsylvania,	German-French	Farmer,	1884	87
23	Wright, Geo., <i>r</i>	New York,	American,	Farmer,	1884	48
6	Walsh, Geo. H., <i>r</i>	Quebec,	Irish-English,	Lawyer,	1873	49
7	Wineman, J. B., <i>r</i>	Illinois,	German,	Lawyer,	1882	33
27	Yegen, John, <i>r</i>	Switzerland,	Swiss,	Merchant,	1873	49

* Single.

† Widower.

r Republican.*d* Democrat.*i* Independent.

OFFICERS.

Speaker—GEORGE H. WALSH, Grand Forks, Grand Forks County.*Chief Clerk*—J. G. HAMILTON, Grand Forks, Grand Forks County.*Assistant Clerk*—E. M. SANFORD, Jamestown, Stutsman County.*Enrolling and Engrossing Clerk*—W. A. KELLY, Trail County.*Bill Clerk*—B. W. SHAW, Mandan, Morton County.*Journal Clerk*—THOS. SONSRUDE, Grand Forks County.*Stenographer*—MISS BESSIE WAGGONER, Bismarck, Burleigh County.*Sergeant-at-Arms*—M. B. ROSE, Sargent County.*Messenger*—J. B. SINCLAIR, Bottineau, Bottineau County.*Watchman*—A. B. ROHRER, Coal Harbor, McLean County.*Doorkeeper*—A. S. HOBSON.*Postmaster*—ROBERT MACNIDER, Bismarck, Burleigh County.*Chaplain*—REV. G. A. CHAMBERS, Bismarck, Burleigh County.*Clerk of Judiciary Committee*—JAMES V. BROOKE, Grand Forks, Grand Forks County.*Pages*—JAMES FORTUNE, JOHN PETERSON, GEORGE WICK, BURTIE ALLIN, ALFRED BURNIE.

Journal of the House.

THIRD SESSION.

FIRST DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 3, 1893.

At the hour of 12 o'clock meridian on Tuesday, the 3d day of January, A. D. 1893, being the hour designated by law for the convening of the Legislative Assembly of the State of North Dakota, the members-elect of the House of Representatives of the Third Session of the Legislative Assembly of the State of North Dakota assembled in the Capitol at Bismarck, and were called to order by J. G. Hamilton, Chief Clerk of the Second Session of the Legislative Assembly of the State of North Dakota.

The session was opened with prayer by the Rev. G. A. Chambers of Bismarck.

The roll being called, the following members responded to their names:

First District—P. J. Horgan and Benj. James.

Second District—Robt. Thexton and F. A. Holliday.

Third District—N. H. Rinde and K. P. Levang.

Fourth District—Chas. Ebbighausen, Wm. R. Johnson, and Wm. O'Keefe.

Fifth District—Andrew Johnson and J. Dexter Pierce.

Sixth District—Geo. H. Walsh and Thos. Halvorson.

Seventh District—J. B. Wineman and Arne P. Haugen.

Eighth District—H. D. Hurley, H. H. Strom, L. H. Larson, and O. S. Wallen.

Ninth District—Seth Newman and H. C. Southard.

Tenth District—D. C. Tufts, Elling Severson and B. F. Ritter.

Eleventh District—Geo. S. Churchill, J. B. McArthur and Samuel Bullard.

Twelfth District—J. N. Deans, Borger Hallum and A. V. Benedict.

Thirteenth District—John E. Hodgson.

Fourteenth District—Harry S. Oliver and Thos. M. Elliott.

Fifteenth District—Hans O. Hagen and John Logan.

Sixteenth District—Lewis Thompson and W. T. McCulloch.

Seventeenth District—S. M. Lee.

Eighteenth District—F. W. McLean and Chas. W. Plain.

Nineteenth District—D. W. McCanna.

Twentieth District—L. P. Havrevold and T. H. Oksendahl.

Twenty-first District—E. H. Lohnes and P. Kelly.

Twenty-second District—A. C. Sanford and Ralph Hall.

Twenty-third District—George Wright and O. A. Boynton.

Twenty-fourth District—L. A. Ueland.

Twenty-fifth District—Geo. W. Towers and J. W. Caldwell.

Twenty-sixth District—J. H. Wishek and W. F. Cochrane.

Twenty-seventh District—Wm. A. Bentley and John Yegen.

Twenty-eighth District—John A. Davis.

Twenty-ninth District—John Satterlund.

Thirtieth District—J. S. Veeder and Louis Burkhardt.

Thirty-first District—L. A. Simpson.

The oath of office, administered by Hon. W. H. Winchester, Judge of the Sixth Judicial District of the State of North Dakota, was then taken and subscribed by the members-elect.

The House proceeded to its organization.

Mr. Oliver nominated Hon. Geo. H. Walsh, of Grand Forks County, for Speaker.

Mr. Haugen, of Grand Forks county, seconded the nomination of Mr. Walsh.

Mr. McLean, of Cavalier, nominated Hon. Ralph Hall, of Foster county, for Speaker.

Mr. Horgan, of Pembina, seconded the nomination of Mr. Hall.

Mr. Elliott, of Ransom, nominated Hon. John E. Hodgson, of Sargent, for Speaker.

Mr. McCulloch, of Griggs, seconded the nomination of Mr. Hodgson.

The roll being called there were 60 votes cast, of which Mr. Walsh received 32, Mr. Hall received 16, and Mr. Hodgson 12.

Those voting for Mr. Walsh were:

Messrs. Benedict, Bentley, Boynton, Bullard, Burkhardt, Churchill, Cochrane, Davis, Halvorson, Haugen of Grand Forks, Havrevold, Hurley, Larson, Lohnes, McArthur, Newman, Oksendahl, Oliver, Pierce, Ritter, Satterlund, Simpson, Severson, Southard, Strom, Tufts, Veeder, Wallen, Wineman, Wishek, Wright, Yegen.

Those voting for Mr. Hall were:

Messrs. Deans, Ebbighausen, Holliday, Hallum, Hodgson, Horgan, James, Johnson of Grand Forks, Johnston, Kelly, McCanna, McLean, O'Keefe, Plain, Sanford, Thexton.

Those voting for Mr. Hodgson were:

Messrs. Caldwell, Elliott, Hall, Haugen of Barnes, Lee, Levang, Logan, McCulloch, Rinde, Thompson, Towers, Ueland.

Absent and not voting: Messrs. Johnson of Sargent, Walsh.

Mr. Walsh having received a majority of all the votes of the members-elect, was declared duly elected Speaker of the House.

Messrs. Hodgson and Hall were appointed to escort the Speaker to the chair.

The oath of office as Speaker was administered by the Hon. W. H. Winchester, Judge of the Sixth Judicial District.

Mr. Wineman nominated J. G. Hamilton of North Dakota, for Chief Clerk.

The roll being called for the election of Chief Clerk, there were 61 votes cast, of which number Mr. Hamilton secured 61.

Those voting for Mr. Hamilton were:

Messrs. Benedict, Bentley, Boynton, Bullard, Burkhardt, Caldwell, Churchill, Cochrane, Davis, Deans, Ebbighausen, Elliott, Hall, Holliday, Halvorson, Hallum, Hagen of Barnes, Haugen of Grand Forks, Havrevold, Hodgson, Horgan, Hurley, James, Johnson of Grand Forks, Johnston, Kelly, Larson, Lee, Levang, Logan, Lohnes, McArthur, McCanna, McCulloch, McLean, Newman, O'Keefe, Oksendahl, Oliver, Pierce, Plain, Rinde, Ritter, Sanford, Satterlund, Simpson, Severson, Southard, Strom, Thexton, Thompson, Towers, Tufts, Ueland, Veeder, Wallen, Wineman, Wishek, Wright, Yegen, Mr. Speaker.

Absent and not voting, Johnson of Sargent.

Mr. Hamilton, having received a majority vote of all the members-elect, was declared duly elected Chief Clerk, and the oath of office as Chief Clerk was administered by Hon. W. H. Winchester, Judge of the Sixth Judicial district.

Mr. Boynton nominated E. M. Sanford, of Stutsman county, for Assistant Clerk.

Mr. Horgan nominated W. Murphy for Assistant Clerk.

The roll being called there were 61 votes cast, of which number Mr. Sanford received 33, and Mr. Murphy received 28.

Those voting for Mr. Sanford were:

Messrs. Benedict, Bentley, Boynton, Bullard, Burkhardt, Churchill, Cochrane, Davis, Halvorson, Haugen of Grand Forks, Havrevold, Hurley, Larson, Lohnes, McArthur, Newman, Oksendahl, Oliver, Pierce, Ritter, Satterlund, Simpson, Severson, Southard, Strom, Tufts, Veeder, Wallen, Wineman, Wishek, Wright, Yegen, Mr. Speaker.

Those voting for Mr. Murphy were:

Messrs. Caldwell, Deans, Ebbighausen, Elliott, Hall, Holliday, Hallum, Haugen of Barnes, Hodgson, Horgan, James, Johnson, of Grand Forks, Johnston, Kelly, Lee, Levang, Logan, McCanna, McCulloch, McLean, O'Keefe, Plain, Rinde, Sanford, Thompson, Towers, Thexton, Ueland.

Absent and not voting, Johnson of Sargent.

Mr. Sanford having received a majority of all the votes of the members-elect, was declared duly elected Assistant Clerk.

Mr. Hurley nominated W. A. Kelly, of Traill county, for Chief Enrolling and Engrossing Clerk.

Mr. McLean nominated A. P. Riggs, of Cavalier county, for Chief Enrolling and Engrossing Clerk.

The roll being called there were 61 votes cast, of which Mr. Kelley received 33 and Mr. Riggs received 28.

Those voting for Mr. Kelly were:

Messrs. Benedict, Bentley, Boynton, Bullard, Burkhardt, Churchill, Cochrane, Davis, Halvorson, Haugen of Grand Forks, Havrevold, Hurley, Larson, Lohnes, McArthur, Newman, Oksendahl, Oliver, Pierce, Ritter, Satterlund, Simpson, Severson, Southard, Strom, Tufts, Veeder, Wallen, Wineman, Wishek, Wright, Yegan, Mr. Speaker.

Those voting for Mr. Riggs were:

Messrs. Caldwell, Deans, Ebbighausen, Elliott, Hall, Holliday, Hallum, Hagen of Barnes, Hodgson, Horgan, James, Johnson of Grand Forks, Johnston, Kelly, Lee, Levang, Logan, McCanna, McCulloch, McLean, O'Keefe, Plain, Rinde, Sanford, Thompson, Towers, Thexton, Ueland.

Absent and not voting:

Johnson of Sargent.

Mr. Kelly having received a majority of all the votes of the members-elect, was declared duly elected Enrolling and Engrossing Clerk.

Mr. Veeder nominated B. W. Shaw, of Morton, for Bill Clerk.

Mr. Elliott nominated W. N. Dickinson, of Ransom, for Bill Clerk.

The roll being called there were 61 votes cast, of which Mr. Shaw received 33 and Mr. Dickinson received 28.

Those voting for Mr. Shaw were:

Messrs. Benedict, Bentley, Boynton, Bullard, Burkhardt, Churchill, Cochrane, Davis, Halvorson, Haugen of Grand Forks, Hurley, Larson, Lohnes, McArthur, Newman, Oksendahl, Oliver, Havrevold, Pierce, Ritter, Satterland, Simpson, Severson, Southard, Strom, Tufts, Veeder, Wallen, Wineman, Wishek, Wright, Yegen, Mr. Speaker.

Those voting for Mr. Dickinson were:

Messrs. Caldwell, Deans, Ebbighausen, Elliott, Hall, Holliday, Hallum, Hagen of Barnes, Hodgson, Horgan, James, Johnson, of Grand Forks, Johnston, Kelly, Lee, Levang, Logan, McCanna, McCulloch, McLean, O'Keefe, Plain, Rinde, Sanford, Thompson, Towers, Thexton, Ueland.

Absent and not voting:

Johnson of Sargent.

Mr. Shaw having received a majority vote of all the members-elect was declared duly elected Bill Clerk.

Mr. Bentley nominated Miss Bessie Waggoner, of Burleigh, for Stenographer.

Mr. McLean nominated Miss Aggie Noonan, of Ramsey, for Stenographer.

The roll being called there were 61 votes cast, of which Miss Bessie Waggoner received 34 and Miss Aggie Noonan received 26.

Those voting for Miss Waggoner were:

Messrs. Benedict, Bentley, Boynton, Bullard, Burkhardt, Churchill, Cochrane, Davis, Hall, Halvorson, Haugen of Grand Forks, Havrevold, Hurley, Larson, Lohnes, McArthur, Newman, Oksendahl, Oliver, Pierce, Ritter, Satterlund, Simpson, Southard, Strom, Tufts, Veeder, Wallen, Wineman, Wishek, Wright, Yegen, Mr. Speaker.

Those voting for Miss Noonan were:

Messrs. Caldwell, Deans, Ebbighausen, Elliott, Holliday, Hodgson, Horgan, Hagen of Barnes, James, Johnson of Grand Forks, Johnston, Kelly, Lee, Levang, Logan, McCanna, McCulloch, McLean, O'Keefe, Plain, Rinde, Sanford, Thexton, Thompson, Towers, Ueland.

Absent and not voting.

Hallum and Johnson of Sargent,

Miss Waggoner having received a majority vote of all the members-elect was declared duly elected Stenographer.

Mr. Oliver nominated M. B. Rose of Sargent for Seargent-at-Arms.

Mr. Ebbighausen nominated Thomas Bannan for Seargent-at-Arms.

The roll being called there were 61 votes cast, of which Mr. Rose received 33 and Mr. Bannan received 28.

Those voting for Mr. Rose were:

Messrs. Benedict, Bentley, Boynton, Bullard, Burkhardt, Churchill, Cochrane, Davis, Halvorson, Haugen of Grand Forks, Havrevold, Hurley, Larson, Lohnes, McArthur, Newman, Oksendahl, Oliver, Pierce, Ritter, Satterlund, Simpson, Severson, Southard, Strom, Tufts, Veeder, Wallen, Wineman, Wishek, Wright, Yegen, Mr. Speaker.

Those voting for Mr. Bannan were:

Messrs. Caldwell, Deans, Ebbighausen, Elliott, Hall, Holliday, Hallum, Hagen of Barnes, Hodgson, Horgan, James, Johnson of Grand Forks, Johnston, Kelly, Lee, Levang, Logan, McCanna, McCulloch, McLean, O'Keefe, Plains, Rinde, Sanford, Thompson, Towers, Thexton, Ueland.

Absent and not voting:

Johnson of Sargent.

Mr. Rose having received a majority of all the votes of the members-elect was declared duly elected Sergeant-at-Arms.

Mr. Newman nominated A. S. Hobson of Cass for Assistant Sergeant-at-Arms and Doorkeeper.

Mr. Bullard nominated G. R. Gullickson of Walsh for Assistant Sergeant-at-Arms and Doorkeeper.

The roll being called there were 61 votes cast, of which Mr. Hobson received 33 and Mr. Gullickson received 28.

Those voting for Mr. Hobson were:

Messrs. Benedict Bentley, Boynton, Bullard, Burkhardt, Churchill, Cochrane, Davis, Halvorson, Haugen of Grand Forks, Havrevold, Hurley, Larson, Lohnes, McArthur, Newman, Oksendahl, Oliver, Peirce, Ritter, Satterlund, Simpson, Severson, Southard, Strom, Tufts, Veeder, Wallen, Wineman, Wishek, Wright, Yegen, Mr. Speaker.

Those voting for Mr. Gullickson were:

Messrs. Caldwell, Deans, Ebbighausen, Elliott, Hall, Holliday, Hallum, Hagen of Barnes, Hodgson, Horgan, James, Johnson of Grand Forks, Johnston, Kelly, Lee, Levang, Logan, McCanna, McCulloch, McLean, O'Keefe, Plain, Rinde, Sanford, Thompson, Towers, Thexton, Ueland.

Absent and not voting:

Johnson of Sargent.

Mr. Hobson having received a majority vote of all members-elect, was declared duly elected Assistant Sargeant-at-Arms.

Mr. Davis nominated J. B. Sinclair of Bottineau for Messenger.

Mr. McCulloch nominated O. J. Major of Steele for Messenger.

The roll being called there were 61 votes cast, of which Mr. St. Clair received 33 and Mr. Major received 28.

Those voting for Mr. Sinclair were:

Messrs. Benedict, Bentley, Boynton, Bullard, Burkhardt, Churchill, Cochrane, Davis, Halvorson, Haugan of Grand Forks, Havrevold, Hurley, Larson, Lohnes, McArthur, Newman, Oksendahl, Oliver, Pierce, Ritter, Satterlund, Simpson, Siverson, Southard, Strom, Tufts, Veeder, Wallen, Wineman, Wishek, Wright, Yegen, Mr. Speaker.

Those voting for Mr. Major were:

Messrs. Caldwell, Deans, Ebbighausen, Elliott, Hall, Holliday, Hallum, Hagen of Barnes, Hodgson, Horgan, James, Johnson of Grand Forks, Johnston, Kelly, Lee, Levang, Logan, McCanna, McCulloch, McLean, O'Keefe, Plain, Rinde, Sanford, Thompson, Towers, Thexton, Ueland.

Absent and not voting:

Johnson of Sargent.

J. B. Sinclair having received the highest number of votes cast, was declared the duly elected Messenger.

Mr. Yegen of Burleigh nominated Robert Macnider, of Burleigh county, as postmaster.

Mr. Hodgson nominated Olaf Melrose, of Sargent county.

The roll being called, there were 61 votes cast, of which Mr. Macnider received 33 votes and Mr. Melrose 28.

Those who voted for Mr. Macnider were:

Messrs. Benedict, Bentley, Boynton, Bullard, Burkhardt, Churchill, Cochrane, Davis, Halvorson, Haugen of Grand Forks, Havrevold, Hurley, Larson, Lohnes, McArthur, Newman, Oksendahl, Oliver, Pierce, Ritter, Satterlund, Simpson, Siverson, Southard, Strom, Tufts, Veeder, Wallen, Wineman, Wishek, Wright, Yegen, Mr. Speaker.

Those who voted for Mr. Melrose were:

Messrs. Caldwell, Deans, Ebbighausen, Elliott, Hall, Holliday, Hallum, Hagen of Barnes, Hodgson, Horgan, James, Johnson of Grand Forks, Johnston, Kelly, Lee, Levang, Logan, McCanna, McCulloch, McLean, O'Keefe, Plain, Rinde, Sanford, Thompson, Towers, Thexton, Ueland.

Absent and not voting:

Mr. Johnson of Sargent.

Mr. Bentley nominated Rev. G. A. Chambers as Chaplain.

The roll being called, there were 59 votes cast, of which Mr. Chambers received 59 votes.

Those who voted for Mr. Chambers were:

Messrs. Benedict, Bentley, Boynton, Bullard, Burkhardt, Caldwell, Churchill, Cochrane, Davis, Deans, Ebbighausen, Elliott, Hall, Holliday, Halvorson, Hallum, Hagen of Barnes, Haugen of Grand Forks, Havrevold, Hodgson, Horgan, Hurley, James, Johnson of Grand Forks, Johnston, Kelly, Larson, Lee, Levang, Logan, Lohnes, McArthur, McCanna, McCulloch, Newman, O'Keefe, Oksendahl, Pierce, Plain, Rinde, Ritter, Sanford, Satterlund, Simpson, Severson, Southard, Strom, Thexton, Thompson, Towers, Tufts, Ueland, Veeder, Wallen, Wineman, Wishek, Wright, Yegen, Mr. Speaker.

Absent and not voting:

Messrs. Johnson of Sargent, McLean and Oliver.

Mr. Chambers having received the highest number of votes cast, was declared duly elected Chaplain.

Mr. Yegen nominated James Fortune, of Burleigh, as Page.

Mr. McCulloch nominated A. H. Burnie.

The roll being called there were 59 votes cast, of which Master Fortune received 33 votes and Master Burnie 26 votes.

Those who voted for Master Fortune were:

Messrs. Benedict, Bentley, Boynton, Bullard, Burkhardt, Churchill, Cochrane, Davis, Halvorson, Haugen, Havrevold, Hurley, Larson, Lohnes, McArthur, Newman, Oksendahl, Oliver, Pierce, Ritter, Satterlund, Simpson, Severson, Southard, Strom, Tufts, Veeder, Wallen, Wineman, Wishek, Wright, Yegen, Mr. Speaker.

Those who voted for Master Burnie were:

Messrs. Caldwell, Deans, Elliott, Holliday, Hallum, Hagen of Barnes, Hodgson, Horgan, James, Johnson of Grand Forks, Johnston, Kelly, Lee, Levang, Logan, McCanna, McCulloch, McLean, O'Keefe, Plain, Rinde, Sanford, Thexton, Thompson, Towers, Ueland.

Absent and not voting:

Ebbighausen, Hall and Johnson, of Sargent.

James Fortune having received a majority of all the votes cast, was declared duly elected Page.

Mr. Strom nominated John Peterson, of Burleigh, as Page.

Mr. James nominated John P. Belk, of Burleigh, as Page.

The roll being called there were 51 votes cast, of which Master Peterson received 44 and Master Belk 7.

Those who voted for Master Peterson were:

Messrs. Benedict, Bentley, Boynton, Bullard, Burkhardt, Churchill, Cochrane, Davis, Halvorson, Hagen of Grand Forks, Havrevold, Horgan, Hurley, James, Larson, Lee, Lohnes, McArthur, McCulloch, Newman, O'Keefe, Oksendahl, Oliver, Pierce, Plain, Rinde, Ritter, Sanford, Satterlund, Simpson, Severson, Southard, Strom, Thexton, Thompson, Towers, Tufts, Veeder, Wallen, Wineman, Wishek, Wright, Yegen, Mr. Speaker.

Those who voted for John P. Belk were:

Messrs. Deans, Haugen, of Barnes, Johnson, of Grand Forks, Kelly, Logan, McCanna, Ueland.

Absent and not voting:

Messrs. Caldwell, Ebbighausen, Elliott, Hall, Holliday, Hallum, Hodgson and Johnston.

Mr. Newman nominated Bertie Allen, of Cass, as Page.

Mr. McCulloch nominated A. H. Burney, of Burleigh.

The roll being called there were 61 votes cast, of which Master Allen received 33 and Master Burney 28.

Those voting for Master Allen were:

Messrs. Benedict, Bentley, Boynton, Bullard, Burkhardt, Churchill, Cochrane, Davis, Haugen of Grand Forks, Halvorson, Havrevold, Hurley, Larson, Lohnes, McArthur, Newman, Oksendahl, Oliver, Pierce, Ritter, Satterlund, Simpson, Severson, Southard, Strom, Tufts, Veeder, Wallen, Wineman, Wishek, Wright, Yegen, Mr. Speaker.

Those voting for Master Burney were:

Messrs. Caldwell, Deans, Ebbighausen, Elliott, Hall, Holliday, Hallum, Hagen of Barnes, Hodgson, Horgan, James, Johnson of Grand Forks, Johnston, Kelly, Lee, Levang, Logan, McCanna, McCulloch, McLean, O'Keefe, Plain, Rinde, Sanford, Thompson, Towers, Thexton, Ueland.

Master Allen having received a majority vote of all the members elect was declared duly elected Page.

Mr. McCulloch nominated A. H. Burney, of Burleigh, as a Page.

Mr. Bentley nominated Master George Wick, of Burleigh.

The roll being called there were 58 votes cast, of which Master Burney received 25, and Master Wick received 33.

Those voting for Master Wick were:

Messrs. Benedict, Bentley, Boynton, Bullard, Burkhardt, Churchill, Cochrane, Davis, Halvorson, Hallum, Haugen of Grand Forks, Havrevold, Hurley, Larson, Lohnes, Newman, Oliver, Pierce, Ritter, Satterlund, Simpson, Severson, Southard, Strom, Tufts, Veeder, Wallen, Wineman, Wishek, Wright, Yegen, Mr. Speaker.

Those voting for Master Burney were:

Messrs. Deans, Elliott, Hall, Holliday, Hagen of Barnes, Hodgson, Horgan, James, Johnson of Grand Forks, Johnston, Kelly, Lee, Levang, Logan, McArthur, McCanna, McCulloch, O'Keefe, Plain, Rinde, Sanford, Thexton, Thompson, Towers and Ueland.

Absent and not voting:

Messrs. Caldwell, Ebbighausen, Johnson of Sargent, McLean, Oksendahl.

Master Wick having received a majority vote of all the members-elect was declared duly elected Page.

Mr. Bentley nominated William Walton, of Burleigh, for Janitor.

The roll being called there were 42 votes cast, of which number Mr. Walton received 42.

Those voting for Mr. Walton were:

Messrs. Benedict, Bentley, Bullard, Burkardt, Churchill, Cochran, Davis, Halvorson, Haugen of Grand Forks, Havrevold, Horgan, Hurley, Larson, Levang, Logan, Lohnes, McArthur, McCanna, Newman, Oksendahl, Oliver, Pierce, Plain, Rinde, Ritter, Sanford, Simpson, Severson, Southard, Strom, Thexton, Tufts, Ueland, Veeder, Wallen, Wineman, Wishek, Wright, Yegen, Mr. Speaker.

Absent and not voting:

Messrs. Boynton, Deans, Ebbighausen, Elliott, Hall, Holliday, Hallum, Hagen of Barnes, Hodgson, James, Johnson of Sargent, Johnston, Kelly, Lee, McCulloch, McLean, O'Keefe, Satterlund, Thompson and Towers.

Mr. Walton having received a majority vote of all the members elect was declared duly elected Janitor.

Mr. Satterlund nominated A. B. Rohrer of McLean for Watchman.

The roll being called, there were 33 votes cast, of which Mr. Rohrer received 33.

Those voting for Mr. Rohrer were:

Messrs. Benedict, Bullard, Burkhardt, Churchill, Davis, Halvorson, Haugen of Grand Forks, Havrevold, Hurley, Johnson of Grand Forks, Larson, McArthur, McCanna, Newman, Oksendahl, Oliver, Pierce, Satterlund, Simpson, Severson, Southard, Strom, Thexton, Tufts, Veeder, Wallen, Wineman, Wishek, Wright, Mr. Speaker.

Absent and not voting:

Messrs. Boynton, Cochran, Deans, Ebbighausen, Elliott, Hall, Holliday, Hallum, Hagen of Barnes, Hodgson, James, Johnston,

Kelly, Lee, Levang, Logan, Lohnes, McCulloch, McLean, O'Keefe, Plain, Rinde, Ritter, Sanford, Thompson, Towers, Ueland, Yegan.

Mr. Rohrer, having received a majority vote of all the members-elect, was declared duly elected Watchman.

Mr. Oliver moved to defer the election of Clerk of the Judiciary Committee for the present,

Which motion prevailed.

Mr. Haugen of Grand Forks nominated Thomas Sonstrude for Journal Clerk.

The roll being called, there were 33 votes cast, of which Mr. Sonstrude received 33.

Those voting for Mr. Sonstrude were:

Messrs. Benedict, Bentley, Boynton, Bullard, Burkhardt, Churchill, Cochrane, Davis, Halvorson, Haugen of Grand Forks, Havrevold, Hurley, Larson, Lohnes, McArthur, McCanna, Newman, Oksendahl, Pierce, Ritter, Satterlund, Simpson, Severson, Southard, Strom, Tufts, Veeder, Wallen, Wineman, Wishek, Wright, Yegan, Mr. Speaker.

Absent and not voting:

Messrs. Caldwell, Deans, Ebbighausen, Elliott, Hall, Holliday, Halvorson, Hagen of Barnes, Hodgson, Horgan, James, Johnson of Sargent, Johnson of Grand Forks, Johnston, Kelly, Lee, Levang, Logan, McCulloch, McLean, O'Keefe, Oliver, Plain, Rinde, Sanford, Thexton, Thompson, Towers, Ueland.

Mr. Sonstrude, having received a majority vote of the members-elect, was declared duly elected Journal Clerk.

The oath of office was then administered to the foregoing officers and employes by the Speaker.

Mr. Strom moved

That the rules of the Second Session be adopted as the rules of the present House until otherwise provided,

Which motion prevailed.

Mr. Strom moved

That the Speaker appoint a committee of three to secure committee rooms for the use of the House, and to make final arrangements therefor,

Which motion prevailed.

The Speaker appointed as such committee Messrs. Strom, Halvorson and McCulloch.

Mr. Oliver moved

That the Speaker appoint a committee of three to wait upon the Senate and inform it that the House is organized, and ready to receive the Senate in joint session and arrange for a joint committee to wait upon the Governor,

Which motion prevailed.

The Speaker appointed as such committee Messrs. Oliver, Ueland and Kelley.

Mr. Strom moved

That the Speaker appoint a committee of seven on rules,
Which motion prevailed.

The Speaker appointed as such committee Messrs. Oliver, Tufts, Ueland, Horgan, Haugen of Grand Forks, Strom and Hodgson.

A committee from the Senate notified the House that the Senate was organized and would meet the House in joint session at 2 o'clock to-morrow.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER, }
January 3, 1893. }

MR. SPEAKER:

I have the honor to inform you that the Senate for the Third Session of the Legislative Assembly of the State of North Dakota has been organized with the following officers and is now ready for the transaction of business:

President *pro tem.*—J. H. Worst.

Secretary—Fred Falley.

Assistant Secretary—S. B. Mahaney.

Engrossing and Enrolling Clerk—W. D. McClintock.

Bill Clerk—L. D. McGahan.

Stenographer—R. M. Tuttle.

Sergeant-at-Arms—M. N. Bozzel.

Doorkeeper—J. W. Scott.

Messenger—Frank Gaulke.

Postmaster—J. T. Boardman.

Chaplain—Rev. S. F. Beers.

Janitor—Wm. Laist.

Clerk of Committee on Appropriations—Ed. Morse.

Clerk of Judiciary Committee—N. F. Boucher.

Journal Clerk—Miss Annie Nelson.

Pages—Henry McLean, Willie Flynn, Ed. Murphy.

FRED. FALLEY,
Secretary.

Mr. Oliver moved

That the House do now adjourn,

Which motion prevailed, and

The House adjourned.

J. G. HAMILTON,
Chief Clerk.

SECOND DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 4, 1893.

The House assembled at 2 o'clock p. m. pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

The oath of office was administered by the Speaker to Hon. Theo. Johnson, of Sargent.

Roll called.

All members present.

The Sargeant-at-Arms announced the members of the Senate and officers thereof in waiting.

JOINT SESSION.

The Joint Session of the two houses was called to order by the President of the Senate.

The roll of the members of the Senate was then called by the Secretary of the Senate,

All the members being present except Mr. Burke.

The roll of the members of the House was then called by the Chief Clerk of the House,

All the members present.

Mr. Kinter moved

That the President appoint a committee of three to wait upon Governor A. H. Burke and invite him to deliver his message to the Joint Session,

Which motion prevailed.

The President appointed as such committee Messrs. Kinter, Hodgson and Newman.

Senator Palmer moved

That a like committee be appointed by the President to wait

upon Governor-elect Eli C. D. Shortridge and invite him to deliver his message to the Joint Session,

Which motion prevailed.

The President appointed as such committee Messrs. Palmer, McCanna and McCulloch.

Mr. Elliott requested that Mr. Oliver be excused on account of the death of his father-in-law,

Which request was granted.

The committees appointed to wait upon Governors Burke and Shortridge returned, escorting the Governors.

The President introduced the Hon. Andrew H. Burke, the retiring Governor, and Hon. Eli C. D. Shortridge, the Governor-elect.

Hon. Andrew H. Burke, the retiring Governor, arose and thanked the members of the Joint Session for their kindness in extending the invitation to deliver his message before them, and proceeded to read his message.

GOVERNOR BURKE'S MESSAGE.

To the Senate and House of Representatives:

In compliance with the mandates of the Constitution, I herewith present you my biennial message, dealing with the condition of the various departments of the State. In so doing, I shall refrain from offering any positive suggestions as to the course of legislation, leaving my successor to outline the policy to be pursued in this direction as he may deem necessary and expedient, and confine myself to the transactions of my office during the two years of my incumbency.

STATE MILITIA.

Very soon after entering upon the duties of my office, the inhabitants of our State were thrown into consternation by the announcement that the Sioux, and other Indian tribes, had, for the second time within a few months, threatened to become hostile. Only those fully conversant with the sparsely settled condition of our western and northern territory, where the Indian reservations are located, could properly appreciate the terror such news brought to outlying settlers and ranchmen. Every effort was at once put forth to properly arm exposed citizens. The State militia, consisting of a fraction of a regiment of infantry, one battalion of cavalry and a two-gun battery of artillery, was at once ordered to prepare to defend the people; but the meager equipment of this service and the disorganization engendered by lack of proper care on the part of the State, readily demonstrated the impracticability of moving this force, in severe winter weather, against the well armed Indians, who were threatening

the lives and property of our citizens. Yet the promptness with which the militia responded to this call exhibited their loyalty and fully demonstrated to the last Legislature the importance of properly providing for this service. By adequate appropriation and thorough organization by its officers, our State militia is now on a fairly effective basis. It was found, however, that the appropriation to carry out the provisions of the military code was not sufficient to maintain the militia and meet the expenses incidental to annual encampments. There was, therefore, but one encampment during the past two years, while the code provides for encampments each year. I deemed it unwise to incur the additional expense of holding the second encampment and thereby create a deficiency in this department.

Now that the National Guard of our State has been brought to its present standard by our general Government allowance, and the State's assistance, it is reasonable to suppose that the annual appropriation will be sufficient to maintain this condition. Prompt response to arms by the militia when circumstances appeared to demand their actual service in the field should give it an appreciative standing with the law makers of the State.

The justly grounded alarm of our citizens, at the time of the threatened Indian disturbance, was speedily allayed by the prompt, skillful and energetic management of Major General Nelson A. Miles, then in command of this Military Department. The heroic action of the officers and men under his direction, during the inclement weather of a winter campaign, which resulted in subduing these Indians and restoring peace and confidence within our State, is worthy of high commendation, and it would be conferring an honor, and be a source of gratification to myself, as well as reflecting a feeling of appreciation on the part of residents of North Dakota, should your honorable body deem it proper to pass resolutions tendering thanks to General Miles, his officers and men, for the gallantry and courage which they displayed, at the loss of valuable lives, in bringing into subjection these refractory and fanatical Indians, and I therefore submit the subject to your favorable consideration.

WORLD'S COLUMBIAN EXPOSITION.

In accordance with the law providing for same, early in 1891 I appointed a Board of World's Fair Managers for North Dakota, in the hope that the State might be properly represented at the World's Columbian Exposition, at Chicago, this year. But after numerous efforts upon the part of this Board to interest the public spirited people of the State in the work, and thereby secure additional financial aid by private contribution to the fund appropriated by the Legislature to defray the expenses incident to a comprehensive display of the State's resources at this great

Fair, the original Board tendered their resignations, believing the amount designated to be entirely inadequate for the purpose. Soon thereafter a new Board was created, and the work of gathering suitable specimens from growing crops, and collecting other articles for exhibition on this occasion, was at once taken up and has ever since been vigorously pushed, through the enterprise and marked ability of the new Board and the untiring efforts of Hon. Alfred Dickey, Executive Manager, until specimens have been prepared to make a most creditable exhibit of the State's products, as well as an intelligent display of its many advantageous resources. This work has been materially augmented by the co-operation of the Ladies' Columbian Clubs, which clubs have arranged to furnish the State building at the Exposition. The work of the retiring Superintendent of Public Instruction, Hon. John Ogden, in interesting the schools in making an exhibit of our splendid system of public instruction, has been enthusiastically prosecuted by this competent and painstaking official; and with proper encouragement at the hands of the Third Legislative Assembly, the Board in charge of this matter can complete its mission with honor to the State and credit to themselves. The advantages to be derived from a proper representation on this occasion requires no elaboration on my part. It is to be hoped the Legislature will see to it that North Dakota's display at the World's Columbian Exposition is fully in keeping with the intelligence and enterprise of our people, as the labor and expense incident to a comprehensive display of our many advantages on this occasion will unquestionably lay the foundation for future material benefit, if properly followed by united effort upon the part of our people in encouraging further stimulation of the attention drawn to the State by our exhibit at this great Fair.

PUBLIC EDUCATION.

Our educational growth during the past two years has been very gratifying indeed. Under the supervision of the boards of directors two Normal Schools have been established within the State, and buildings erected in the past year—at Valley City and at Mayville. Both are now in operation, affording commodious quarters and ample courses of study to advanced students of the State, while a general advancement has been made along all lines of educational work, from the lowest primary grade up to and including the courses of study in our highest State institutions. Provisions have been made for systematizing the work of high schools so as to provide a uniform system of gradation between the common schools and the university and normal schools. The work of training teachers has been carried further towards completion than at any previous time in the history of the State or Territory. A manual of insti-

tute instruction, in the hands of the teachers, has afforded an opportunity for better and more scientific institute work; while the State Normal Schools, and normal department of the State University, are being equipped to render better service in professionalizing the work of teachers. A uniform system of teachers' registers, and reporting blanks and records for all teachers and school officers, has been more thoroughly incorporated into the school system. An excellent class of books, suitable for school district libraries, has been selected by the State Superintendent, from which school boards may purchase libraries for their districts. Sample copies of these books may be found on the shelves of the State Educational Library, in the office of the State Superintendent. Many of the teachers of the State are pursuing the course of reading prescribed and outlined for the State Reading Circle, with marked improvement in the general education of the teacher and in the methods of instruction. There are in the State 1,584 school houses, with a total seating capacity of 58,335, the value of the school houses and appurtenances being nearly two and one-half million dollars. There are 1,707 schools, with an enrollment of 37,916 pupils. The total amount of funds apportioned by the State, for the two years ending June 30, 1892, was \$548,408.25, being at the rate per capita of \$5.95 annually for each child over six and under twenty years of age.

PUBLIC EXAMINER.

The report of the Public Examiner will show that there has been an increase of one million dollars in the assessed valuation of banks organized under our splendid State banking law. Our system of controlling State banks has not only been highly commended by financiers of other states, but it has had the effect of bringing the credit of our State banks well up to the standard of the national banks in our State. The Public Examiner finds also that this law is working a hardship to State banks in some matters of detail, and he calls the attention of the Legislature to this subject and makes some recommendations. There has been but one State bank failure within the two years past. This bank was located at Ellendale. About 65 per cent. of the indebtedness of this institution has already been liquidated, and the Public Examiner believes that the remaining assets will eventually satisfy all claims against this bank. He will also recommend that the State banks be not allowed to invest so heavily in office furniture, etc. His report will show that eighteen new banks, with a capital stock of \$183,200, were organized in the State during the past fiscal year; that we now have seventy-four State banks, with a capital stock of \$970,500. These banks contain deposits of \$1,895,001.75, \$1,108,308.05 of this amount being placed in these institutions in the way of savings, demand and

time certificates of deposits. It is learned from another source that the national banks doing business within our State have a capital stock of \$2,515,000; that the deposits are \$6,768,644.73, showing a surplus of \$566,517.70, with loans and discounts of \$7,027,460.79. There are thirty-three national banks doing business in the State of North Dakota. Your attention is respectfully directed to the report of the Public Examiner, as it also deals with the questionable practices of financial institutions doing business in our State though charters obtained under territorial form of government.

COMPILATION COMMITTEE.

In keeping with the law providing for the appointment of a Committee to compile our laws, I named Hon. R. M. Pollock, Hon. P. H. Rourke and Hon. J. G. Hamilton to execute this very important work. That the nature and scope of a proper codification of our laws would naturally require a large amount of able and conscientious labor you are well aware, and how faithfully and well the members of this Committee have performed the exacting duties assigned them you can best judge, as their exhaustive, and I have good reason to believe, complete and comprehensive report is made direct to you. I am equally well assured in advance, from experience in the past, that you, as lawmakers of the State and the representatives of the people, always having the best interest of the State paramount in your actions, will give it careful and equitable consideration. A correct compilation of our laws, and a complete eradication of their many ambiguous, conflicting and inoperative clauses means a clear and perfect understanding of their intent, and to this end your Committee has devoted much time and earnest devotion, as well as to comply with other provisions of the law governing their duties.

SCHOOL LAND FUNDS.

By Constitutional provision the State Board of University and School Lands is prohibited from investing the moneys derived from the sale of school lands, except in school corporation bonds within the State, bonds of the United States, bonds of the State of North Dakota, or in first mortgages on lands. The Board has invested a portion of the funds thus derived in district school bonds; but the high rate of premium now commanded by our State and United States bonds has made it impracticable to purchase these securities for permanent investment; and the Board, profiting by the experience of other states, deemed it unwise to loan these funds on lands, owing to their fluctuating values. There is, therefore, some thirty thousand dollars now to the credit of this fund in the Treasury. The investments already made have netted the State four per cent. interest. Other states

have provided by law for the investment of similar funds without their State, under proper conditions. It is unfortunate that our law is not so constructed as to permit the purchase of outside securities, as the State might derive material benefit could money obtained from this source be placed in safe securities other than those enumerated in the Constitution, and this may be considered as an explanation as to why all the school land funds have not been invested.

STATE FINANCES.

In order to provide for the liquidation of North Dakota's portion of the indebtedness of the Territory of Dakota, as determined by the Joint Commission of the States of North and South Dakota, the last Legislature authorized the issuance of \$106,000 of 30-year 4½ per cent. interest bearing bonds. The negotiation of these securities came at a period when loaning rates had reached their highest point within two years; yet the State officers in charge of the sale of these securities were enabled to secure an extremely high premium for them, being sufficient in amount to practically reduce the interest on this bonded indebtedness to about 3½ per cent. It is believed that the premium secured for these bonds was the highest ever known to have been paid for western State securities. An examination of the State Treasurer's report will demonstrate that our finances are in a healthy condition, and that sufficient funds are on hand to liquidate the expenses incident to State government. The following condensed summary will show the amount in the Treasury to the credit of the various funds on October 31, 1892:

Premium	\$ 16,724 20
Trust Fund	3,541 46
Valley City Normal School Bond Fund	487 68
Mayville Normal School Bond Fund	1,556 88
State Building Fund	17 00
Commissioners of Railroad Fund	1 35
Gross Earnings Tax	1,059 70
Permanent School Fund	130,941 97
State Tuition Fund	29,714 08
Interest and Income Fund	2,664 80
Bond Interest	29,774 75
General Fund	181,569 57
Total	\$ 398,053 44

About \$100,000 of the permanent school fund has been invested in safe securities since the ending of the fiscal year.

IRRIGATION AND FORESTRY.

The question of irrigation in the west has assumed importance within recent years. The national government made an appropriation of \$70,000 to meet the expenses incident to an investigation of the artesian and underflow waters lying between

the 97th meridian and the foot hills of the Rocky Mountains; and prompted by the importance of this matter, the last Legislature created the office of State Superintendent of Irrigation and Forestry, and in accordance with the provision of this law empowering the Governor to select an officer for this work, I appointed W. W. Barrett, of Lakota, to the position. Besides attending to the duties of this office, furnishing the people of the State with valuable information relating to protection from frost and prevention of loss from hot winds and drouths, irrigation, meteorology, tree and forest culture, he has rendered valuable assistance in the collection of forest, and other natural specimens, for the State's exhibit at the World's Columbian Exposition.

In this connection, I desire to remind you that the movement to secure to this State one of the several national parks provided for by act of Congress, entitled "an act to repeal timber culture laws, and for other purposes," has resulted in what is known as the Turtle Mountain reserve being set apart, temporarily, for this purpose. It now remains for the people of this State to determine if it is their wish that the land so designated be permanently devoted to this object, by addressing the honorable Commissioner of the general land office, expressing their views upon the subject. Should the consensus of opinion among residents of the State be in favor of this reservation being made a permanent national park—to be cared for by the national government—then the temporary withdrawal of this land from settlement will no doubt be made permanent. If it should be otherwise, the national land department may remove the present restrictions and again throw this land open to occupation by settlers. This subject is worthy of attention at this time.

UNIVERSITY AND STATE SCHOOL LANDS.

The report of the State Special Land Agent, Hon. J. B. Power, shows that he has examined 1,347,000 acres of lands belonging to the general government in this State. This work has been performed by Mr. Power with a view to selecting, as far as possible, only such lands as would soonest become revenue producing to the State. The total grant from the general government for our public, charitable and educational institutions, not including the indemnity for losses on school sections, amounts to 668,080 acres. Deducting the selections now certified for indemnity school lands, there yet remains to be selected from the public domain 389,898.63 acres to complete the grant for all these institutions. The amount required to indemnify the State for school land losses cannot be accurately ascertained until all the public lands have been surveyed and the boundaries of permanent reservations fixed. The report of this officer shows the aggregate expense to the State, in selecting and certifying these lands, has been but one and one-half

cents per acre, and only about two-fifths of one cent per acre for the entire total area examined. It will be observed that the State has derived great benefit from the extended experience and thorough system inaugurated by this most competent official, as the expense incurred by him in the performance of this important duty has been but a mere fraction of that paid by other States for the selection and certification of their land grants. The lands thus selected and apportioned to the different institutions are as follows:

	Acres.
School Indemnity.....	71,795.06
Capitol Building.....	32,079.74
University.....	32,988.68
School of Mines.....	17,514.14
Agricultural College.....	46,493.08
Reform School.....	17,342.59
Deaf and Dumb Asylum.....	17,419.54
Normal Schools.....	36,911.97
Insane Asylum.....	10,590.30
Soldiers' Home.....	17,541.81
Blind Asylum.....	15,772.69
Industrial School.....	16,709.88
Scientific School.....	16,626.95

HEALTH DEPARTMENT.

The work of the State Superintendent of Public Health, Dr. F. H. DeVaux, has been one of organization and establishment of safeguards against the possible outbreak and spread of infectious and contagious diseases. With our extended exposed international boundary, and European countries suffering from the prevalence of death-dealing diseases, the duties of this efficient sanitarian have been arduous and exacting, receiving the commendation of the leading health departments and specialists of both our own and foreign countries; but with the present thoroughly organized department and the special United States health examining officers, secured by him and stationed at our entry ports, the people of North Dakota may congratulate themselves on being as secure—should a general scourge invade our country during the coming year—as the most scientific sanitary and general health precautions can warrant when administered by a thoroughly competent and painstaking State Superintendent of Public Health. Quarantine restrictions have been adopted by proclamation and other precautions taken as circumstances demanded during my term of office.

RAILROAD COMMISSIONERS.

The report of the Commissioners of Railroads will be found to contain valuable statistics on subjects of importance to the people.

The report dwells at length on efforts of the commissioners to bring into operation laws enacted for the purpose of governing elevator and railroad facilities, and the inspection of grain intended to be shipped out of the State, quoting the perpetually restraining opinion of Judge Caldwell of the United States Circuit Court upon this subject. The commission has been represented in the last two annual conventions of Railroad Commissioners of the United States by its members and secretary. They have also investigated and adjudicated many complaints, petitions and applications against and to the different railroad companies operating lines within the State, and have annually visited and inspected each railroad station. The report deals exhaustively with the subjects coming before the commissioners, and will no doubt receive your careful attention at the proper time.

ORGANIZATION OF WILLIAMS COUNTY.

In compliance with the provisions of Section 6, Chapter 50, Laws of 1891, and upon proper presentation of petitions and facts showing the citizens of the unorganized counties of Buford and Flannery entitled to county organization under the Constitution, authority was, on November 17, 1891, so granted. An election was called, officers elected, and this county is now fully organized as Williams county, with county seat at Williston.

GRASSHOPPER PEST.

In the summer of 1891, the farmers in the eastern portion of our State became alarmed by the reported appearance of grasshoppers in Grand Forks and Walsh counties. Careful examination of the situation by scientific experts revealed the necessity of resorting to prompt measures to make certain the extermination of these pests, and your Executive, finding no State funds available for such purposes, advanced the money to perform this work. I therefore respectfully request the Legislature to reimburse me for the expense incurred, which amounts, with accrued interest, to \$1,642.89.

SPECIAL SESSION OF THE LEGISLATURE.

There being no provision in the laws of the State for the canvass of the votes whereby presidential electors were chosen, and for governing the canvassing of the general election returns, as called for by the Constitution, I deemed it proper to convene the Second Legislative Assembly of this State in special session, June 1, 1892, to provide for this emergency. At that special session, laws were passed to govern the cases referred to, and provide additional appropriation to assist in properly representing North Dakota at the World's Columbian Exposition at Chicago; and there was also passed an amendment to the law providing for railroad shipping platforms. This session was of short duration,

lasting but three days, and the expenses curtailed to the minimum.

COMMISSIONER OF INSURANCE.

Under the laws governing the conduct of fire and other insurance companies within our State, the Commissioner of Insurance shows that fire insurance companies permitted to do business in North Dakota last year, possessed admitted assets of \$150,702,486.69; that the annual expenditures of these companies was \$83,027,312.63. During the past fiscal year these companies incurred risks amounting to \$1,811,800 in this State, for which they received \$67,464 15 in premiums, paying to the insured for losses by fires and other sources \$36,153.01. The admitted assets of other companies, including life, accident, endowment, live stock and other insurance associations operating in North Dakota was \$682,738,697.02; the annual expenditures of these companies and associations was \$122,687,362.02. They incurred risks equal to \$5,714,728.20, receiving \$261,218.86 in premiums and paying \$92,125.10 in losses. The past year has been considered a remarkable one from the fact that more property was destroyed by fire during that period than any known year with the exception of those in which occurred the great conflagrations of Chicago and Boston. All reliable insurance companies appear willing, and many of them even anxious, to comply with our safe, and sometimes considered rigid laws, for the control of fire and life insurance companies. The report of this department treats exhaustively with the subject and your attention is directed to it.

COMMISSIONER OF AGRICULTURE AND LABOR.

The work of this department is confined almost solely to the gathering and compiling of statistics relating to our productions and resources. Many thousand copies of pamphlets, other publications and valuable information have been disseminated by the Commissioner and his deputy during the two years past, and of these probably the most important and beneficial was the brochure containing letters from farmers of the State giving their condition upon arrival in Dakota and showing their advancement. The Commissioner believes many additional copies of this pamphlet could now be distributed to advantage. The various tables in this report, covering industrial, animal and vital statistics, will be found as covering a vast scope and of undoubted interest to our people, while the recommendations of the department call for the passage of such laws as will in your judgement best meet the public needs.

CAPITOL BUILDING.

The State officers having in custody the management of your Capitol building have endeavored to practice economy by curtail-

ing expenses in every possible way. It has been necessary, from time to time, to make additional room for the different State departments and to repair the building to maintain its security. The State had been paying, in the past, rent for quarters for the Agricultural Department, Railroad Commissioners and Supreme Court chambers in an amount equal to the interest of many thousands of dollars. Rooms have now been fitted up within the building, for these various officers. These rooms can also be used by the clerical force and committees of the two branches of the Legislature during the session.

HOSPITAL FOR INSANE.

The report of the trustees and other officers of this institution presents a very gratifying condition of affairs, as to able management and satisfactory results attained. It is important, however, that due attention be paid to the recommendations of these officers, especially that portion of the report calling for needed improvements and extended quarters. The report shows a very high percentage of cures under careful scientific treatment, by its efficient Superintendent and his competent and faithful assistants, placing this hospital for unfortunates in the front rank among other states of the Union, and making it truly a credit to North Dakota. If the proportionate increase of patients at this hospital continues in the future, as in the past, the additional buildings called for will be absolutely necessary in order to house the large number of patients, and I would, therefore, particularly direct your attention to the report of the trustees and other officers of the hospital for insane.

The special appropriation to improve and perfect the water supply at the hospital proved not only adequate to accomplish the purpose for which it was set aside, but there will be found a credit to this fund. The artesian well, which had ceased to flow, has not only been improved, causing it to supply the demands of the hospital, but the additional well there has been placed in repair, to be available in emergency, practically insuring a safe water supply in the future. The expenditure of this appropriation has been judicious and economical. The residue could be expended in supplying fire protection to the hospital, but as the appropriation was made subject to my advice and consent, I did not deem it proper to expend the remainder for this purpose, but I consider it essential that the State throw around the unfortunates at this institution all the protection possible. The history of other states and similar asylums warrants this.

STATE REFORM SCHOOL.

Besides referring to the report of the Trustees of the State Reform School, I would call the attention of the Legislature to

the State's indebtedness for the care of refractory boys belonging to North Dakota, now confined in South Dakota's reformatory at Plankinton. There being no reformatory in this State, there was no other course open to your Executive, as well as his predecessor, than to consign boys sentenced to reformatories to that institution, and I submit herewith a statement of North Dakota's indebtedness for the care of these boys, and recommend that appropriation be made to liquidate this debt:

PLANKINTON, S. D., Nov. 30, 1892.

State of North Dakota to State of South Dakota, Dr. For keeping, boarding, and schooling boys in the Reform School, at \$200 per year for each boy:

Julius Listoe, from Grand Forks County, 1½ years.....	\$ 300
Erving McKay, from Grand Forks County, 2 years.....	400
Robbie Nelson, from Grand Forks County, 1 year.....	200
Henning Soderberg, from Morton County, 2 years.....	400
Willie Smith, from Morton County, 1 year.....	200
Eddie Garlick, from Morton County, 1 year.....	200
Herbert Roscoe, from Morton County, ¼ year.....	50
David Lindsay, from Emmons County, 1½ years.....	300
Wm. Finley, from Eddy County, ¼ year.....	50

Total \$ 2,100

This since January 1, 1891, to December 31, 1892.

C. W. AINSWORTH,
Superintendent.

SOLDIERS' HOME.

The Board of Commissioners for the Soldiers' Home have completed the construction of a suitable building, at Lisbon, as a home for disabled, diseased or honorably discharged soldiers, sailors or mariners who served in the army or navy of the United States, and who have since become residents of our State. Your attention will no doubt be directed to the subject of properly furnishing and maintaining this institution and compensating the members of the Board for expenses incurred in attending its meetings. The report of the Board will treat of this matter in detail and I solicit your favorable consideration of their recommendations.

ATTORNEY GENERAL.

The report of the Honorable Attorney General will convey to you at least some idea of the exacting duties performed by the State's legal adviser: By law, he is not required to deliver official opinions to any but members of the legislature, State officers and State's Attorneys, but during his term of office he has rendered over one thousand written opinions to various county and township and school district officers and private citizens. This arduous duty has devolved upon him because many of our laws are of recent enactment, ambiguous and misleading in their language, requiring careful study to arrive at their proper meaning. His

report contains many of the more important decisions rendered during this period. I have always found both himself and his worthy deputy most courteous and prompt to respond to requests for legal counsel, as have the other State officials.

STATE VETERINARIAN.

The report of this State officer will show a healthy and prosperous condition of our animal industries. Losses from infectious diseases to our stock growers have been practically nothing. No pronounced epidemic has made its appearance within our borders, and the live stock interests of our State appear to be improving and advancing under favorable conditions. A careful and rigid enforcement of inspection regulations governing the importation of cattle, horses and sheep into our State has had much to do in bringing about this desired result. By strict adherence to the terms of a proclamation, recently issued, prescribing regulations governing the bringing of Texas and other southern cattle into North Dakota, the present prosperous and satisfactory business of our ranchmen and others may be vouchsafed for the future.

STATE PENITENTIARY.

There are now ninety-three prisoners confined in this institution, with two enjoying partial liberty under the provisions of the parole law passed by the last Legislature. A work shop has been constructed within the walls of the Penitentiary with a view of giving employment to a limited number of convicts in the manufacture of harnesses. The appropriation made to connect the prison with the Bismarck water supply system was expended for that purpose, under direction of the board of trustees, and every modern appliance is now in use there to give perfect water supply and full fire protection. The large number of convicts now confined in the penitentiary could be judiciously employed in cultivating some of the adjoining land, did the State own such land, thereby assisting to make this now somewhat expensive institution at least partially self-sustaining. Following is a list of pardons granted by me during the two years of my term:

PARDONS.

Pardons have been granted to persons sentenced to confinement in the North Dakota penitentiary, as follows, in each case after due consideration of its merits, and being convinced that the ends of justice would be best subserved thereby:

Frank Morris, sentenced March 6, 1890, for two years for assault with a dangerous weapon; pardoned January 29, 1891.

Orin P. Queal, sentenced July 24, 1890, for four years for manslaughter; pardoned February 20, 1891.

James Flemming, sentenced December 22, 1888, for eight years for assault with a dangerous weapon; pardoned March 12, 1891.

William S. Allen, sentenced June 30, 1890, for assault with intent to kill; pardoned March 20, 1891.

William H. Allen, sentenced January 21, 1887, for six years and six months for larceny; pardoned March 20, 1891.

John Goggins, sentenced January 23, 1887, for six years and six months, for larceny; pardoned March 20 1891.

Arthur McGahey, sentenced June, 1888, for four years and five months for grand larceny; pardoned March 26, 1891.

Mrs. Elizabeth Dill, sentenced May 6, 1885, for life, for murder; pardoned April 25, 1891.

William Custin, sentenced June 21, 1887, for seven years and six months for grand larceny; pardoned June 22, 1891.

Herman Gilck, sentenced December, 1890, for one year for seduction; pardoned August 18, 1891.

Charles Hull, sentenced April 11, 1891, for six months for grand larceny; pardoned September 1, 1891.

C. W. Rankin, sentenced December 22, 1888, for seduction; pardoned on recommendation of penitentiary physician, R. H. Porter, M. D., September 5, 1891.

Thomas Facey, sentenced October 19, 1887, for life for murder; pardoned September 25, 1891.

Herbert I. Cole, sentenced November, 1891, for nine months for seduction; pardoned March 30, 1892.

Eugene Bruguier, sentenced July 20, 1892, for one year and eight months, for grand larceny; pardoned January 15, 1892.

Robert Roberts, sentenced June, 1891, for three years for assault; pardoned November 14, 1892.

Henry Ladd, sentenced January 21, 1892, for three years and six months for assault with deadly weapon; pardoned November 15, 1892.

Robert H. Ellis, sentenced April 15, 1892, for two years for assault with dangerous weapon; pardoned December 19, 1892.

J. W. Gifford, sentenced Nov. 4, 1891, for two years for forgery; pardoned December 19, 1892.

Gottlieb Fischer sentenced March 6, 1890, for ten years for assault with intent to kill; pardoned December 27, 1892.

James Collins, sentenced in January, 1889, for life for murder; pardoned December 30, 1892.

William A. Carmichel, sentenced June 6, 1891, for four years for manslaughter, pardoned December 31, 1892

John Jones, sentenced December, 1888, for seven years, for assault with intent to do great bodily harm; granted two years commutation of imprisonment December 31, 1892.

DEAF AND DUMB ASYLUM.

By direction of the board of trustees the appropriation for the erection of suitable buildings for the deaf and dumb asylum, at Devils Lake, has been expended for that purpose. The asylum has been conducted under able management, both by the trustees and superintendent, and their report deals with these subjects in detail. Your attention is called to the recommendations therein contained, as well as to the reports of all other State's officers and State departments.

CONCLUSION.

The people of the State have, by their votes, decided in favor of a change in the administration of the Executive office, and,

while I have seen no reason to falter in my allegiance to the political party of which I am proud to be a member, believing in the divine voice of the people, I most cheerfully acquiesce in their judgement and commend their choice, my successor, to you. And in surrendering the cares and responsibility of office, I do so without heart-burnings and without regret, conscious that I have had no other idea and no other ambition than to serve the people of North Dakota faithfully and well. I must leave the records of my administration to say how well I have fulfilled the trust confided to me, and how nearly I have realized my own ideas and your requirements. Your new Executive cannot be more anxious for your interests than I have been, and if he shall succeed in serving you better, none will rejoice more sincerely than I shall. Out of courtesy to him and conforming to what I think under the circumstances to be proper and in good taste, I shall make no recommendations except to urge you to realize the difficulties of his position and to aid him as become patriotic citizens, without regard to political creeds or affiliations, in maintaining the honor and the credit of the State of North Dakota.

In the heat of a political campaign, men are apt to look to the success of their party and to countenance acts which their cooler judgments would not approve; but after the contest is over, and the will of the people ascertained, it is the duty, and should be the pleasure of every good citizen to submit to the decision of the majority and to exert himself for the prosperity of his State and his country. Such patriotism, I am confident, is yours, and possessing that sublime virtue, I am satisfied that you will forget all past differences and work together for the common good and the general welfare.

And now, gentlemen, it only remains for me to thank you. In this, my last public utterance to the representatives of the people, I hope that I may be pardoned if I say a word more directly to the people themselves. I believe in your great future, and in your advancement to a first place in the column of States. Your fertile fields will continue to attract the enterprising and energetic from the older states, from across the borders, and from beyond the seas. Your cities will thrive and your villages grow; your industry and thrift will compel prosperity, and your resources, as time shall develop them, will be the wonder and admiration of dwellers in lands less fortunately endowed.

The words of encouragement and confidence which were given me during my incumbancy of office are treasured in my heart and form a part of my life, pleasant beyond my powers of expression. In passing into private life, I sever no ties of friendship, break no bonds of allegiance. I shall always take pride in the honor which you conferred upon me by choosing me your Governor, as I am proud of the fact that my children are North Dakotans; and in my retirement I shall rejoice in the glory and renown which is

certain to be yours when you shall be known and honored by the world.

ANDREW H. BURKE.

Bismarck, N. D., January, 1893.

At the conclusion of the delivery of the message of the retiring Governor, Hon. Andrew H. Burke,

The President of the Joint Session introduced Hon. Eli C. D. Shortridge, the incoming Governor, who delivered the following inaugural address:

GOVERNOR SHORTRIDGE'S INAUGURAL ADDRESS.

Gentlemen of the Senate and House of Representatives:

My predecessor has given to you in his message a full statement of his official acts during his administration, and has placed in your possession the reports of the several State officers, which show specifically and in detail the present condition of our State and its institutions; and I respectfully suggest that you make yourselves acquainted with the information contained therein, for the reason that, knowing the condition of our State and its several institutions at the present time, you will thereby be enabled to understand their needed legislation and the proper appropriations to be made for their support and maintenance during the next two years.

In conformity with custom, I desire to present for your consideration and adoption, if thought worthy, such suggestions and recommendations as have occurred to me since my election to the office, the duties of which I am about to assume, which suggestions, if adopted, will in some measure, I trust, conduce to the welfare and happiness of the people of our State. Therefore, I hope that all of your legislation at this session will be such as to convince all fair-minded persons that it is your aim and intention, and that of the present administration, to secure to the people of the State and those who have interests here a safe, conservative and economical administration of State affairs without injury to private interests.

In the discharge of your legislative duties at the present session it should be your aim to accomplish the greatest amount of good to the greatest number of our people, and to those who have interests in common with us, at the least possible expense to the State.

This can be accomplished, to a considerable extent, by a proper and economical use of the time assigned by law for the legislative term.

It is too frequently the case in legislative bodies that much valuable time is squandered in the early part of the session and the consequence is, that in the latter part, bills are presented

which have not been properly prepared and thoroughly considered; they are hastily passed, and in this way become laws which may only serve as a source of needless litigation, and the people are deprived of wholesome and needed legislation, all of which might have been averted by a proper use of the whole time of the session.

It can also be accomplished in a large measure by a wise and judicious selection of the various committees, through whom the greater part of the business of the Legislature must necessarily be transacted. In the appointment of the committees great care should be exercised to select persons who are peculiarly fitted to serve on account of their qualifications, experience and acquaintance with the subjects to be committed to them.

The quality of the legislation and the success of the session will largely depend upon the efficiency and promptness with which the several committees discharge their duties, and the efficiency of the committees will depend largely upon the efficiency of their chairman.

This can also be accomplished in a large degree by practicing economy in the appointment and employment of clerks for the committees. Much needless expense is sometimes incurred in employing an unnecessary number of clerks, at the instance of members, who are desirous of paying some political debt, due some person who has rendered them some political service in time past, and in some instances clerks have been appointed and employed, who, as I am led to believe, were utterly unqualified to discharge the duties assigned to them, and in other instances, I am informed, clerks have been employed who rendered little or no service, and yet drew their per diem for the balance of the term. The employment of clerks should also be confined to citizens of the State.

When committees cannot perform their own clerical work, they should be provided with such clerical assistance as may be necessary. Inasmuch as the greater part of the business of the session will be prepared by the committees, and the work of the committees be done between the sessions of the two Houses, and the disposition of business of both Houses depending upon the deliberate care given to the matters under consideration, it is to be hoped that the several committees will thoroughly investigate all matters committed to them, and report their action at the earliest opportunity possible. And if you will pardon the suggestion, I will here remind you, that while the law limits the length of your session, it does not prohibit you from adjourning whenever you have finished the business of the session.

I believe that more offices have been created in this State than are necessary to carry on the functions of government and that in this way, an unnecessary expense has been entailed upon the State. I

recommend that you carefully consider this matter, and if you find such to be true, that you apply the necessary remedy.

You can best practice economy when you come to make the appropriations for the maintenance of the several State Institutions for the next two years.

All State institutions should be so maintained as to make them efficient for the purpose for which they were created, so far as the State has the financial ability, yet the credit of the State should not be crippled or impaired by making questionable appropriations.

It is necessary, in order that the laws be respected and obeyed that they be plain and definite and capable of being understood and enforced; that they be just and operate on all persons and classes alike; that they be promptly and fully enforced by the officers of the State.

If we have laws upon our statutes, on any subject, that are unjust and oppressive, and so defective in that respect, that they cannot be remedied by proper amendment, they should be repealed, and others enacted in place of them. If they can be made desirable by amendment, they should be amended.

It is detrimental to the best interest of the State, to be continually changing our laws, unless necessity imperatively demands such change. The people of the State desire that laws be stable and fixed, that they may know the law and be able to transact business in reference to it. Inferior laws that are fixed and stable are preferable to superior laws which are constantly being changed by each successive Legislature.

A diversity of opinion exists among the people of the State as to the practical and beneficial results of the prohibition law. It is not within the province of the Executive to question the propriety of any law. It is his duty to see that the laws of the State are duly enforced, and so far as I am concerned, as such Executive, I shall strive to the best of my ability to enforce not only this law, but all the laws of our State.

All trusts and monopolies are odious and against public policy, and at this time they threaten the best interests of our republican institutions in both State and nation. How to deal with them is a question for the State and national legislative branches of our government to determine.

The prosperity of our people is not less dependent upon the bounties of nature than upon the means of handling and transporting their staple products. For many years the subject of railroads has prominently engaged the attention of our people and their lawmakers. Every session of the Legislature since 1884 has added its chapter to our statutes upon this subject, and yet I think it may seriously be questioned whether the total benefit which has accrued from those laws has been equal to the cost of their enactment. They exist to-day as a confused and contradictory mass, and in some instances, void. I submit for your

thoughtful consideration whether it would not be best to repeal every statute upon this subject and enact new laws which shall be plain, simple, specific and constitutional, and directed to the evils which our people have actually experienced and from which they have suffered.

Our staple products find their market in other states, and the rates for transportation to those markets may not come within your jurisdiction. Elevators are instrumentalities upon which our people are as dependent as upon the railroads and both have been placed by the highest courts of the United States in the same class and made subject to the same public supervision as common carriers. By combination the companies engaged in the business have absolutely put an end to competition. The only recourse left to our people is to make such legislation as will be constitutional and give us a free and open market. You have ample power to do this.

There is another subject in this connection which ought to receive your careful attention and consideration, which is, the taxation of elevators. The elevator companies under our present laws, by shipping their wheat out of the State a short time before the date fixed by law for the assessment of personal property, virtually escape taxation. By this means a business which ranks first in the State contributes comparatively little to the public revenue of the State. The railroad and elevator companies have practically ignored the observance of laws respecting their government and taxation, on the alleged grounds that they are unjust and unconstitutional. A careful and thorough examination of these laws should be made by you, and if you find upon such examination that such claims are well founded, such laws should be repealed and other laws enacted, so that the legislation will be fair and just to both the companies and the people, and upheld by the courts of the State and Nation. I am led to believe that the railroad companies will respect and observe such laws in good faith.

Our first experience in this State with the Australian election law, has shown its provisions as to how the ballot shall be marked by the voter, to be too indefinite and conflicting. To serve as a guide to the average citizen, I would recommend that the law be so amended as to make the method of marking the ballot clear beyond a doubt, and to make the act of voting as plain and simple as possible.

It may become necessary for me to communicate with you further by special message, after acquainting myself with the reports of our State officials and boards of our State institutions.

And now, gentlemen, in conclusion, I wish to assure you that I shall co-operate with you, with reference to your legislative duties, in every way that I can. It will be my constant aim and desire to make your labors pleasant and profitable, and I earnestly hope that

good feeling and harmony will prevail throughout the entire session, and that you will fully succeed, by proper and well considered legislation, in remedying the evils and in faithfully executing the trust, to which I have called your attention, with that degree of economy that characterizes faithful public servants; and that when you shall have finished your labors here and returned to your respective homes, you will deservedly receive such words of welcome and of commendation, respecting the discharge of your duties while here, as only come from pleased and grateful constituents.

E. C. D. SHORTRIDGE.
Governor.

Bismarck, January 3, 1893.

Governor Shortridge extended his hearty thanks to his predecessor for kindly acts toward him since his election.

At the conclusion of the delivery of Governor Shortridge's address the President announced an informal recess of ten minutes, to enable the Senators and Representatives to meet the outgoing and incoming Governors.

Joint Session reassembled.

Senator McCormack moved
That the Joint Session do now dissolve,
Which motion prevailed, and
The Joint Session dissolved.

J. G. HAMILTON,
Chief Clerk of the Joint Session.

The House reconvened, and
Mr. Elliott requested that Mr. Oliver be excused on account of the death of his father-in-law,
Which request was granted.

Mr. Hurley moved
That the sympathy of this House be and is hereby extended to Mr. Oliver in his bereavement,
Which motion prevailed.

Mr. Elliott moved
That the reading of the Journal be dispensed with, and that a committee be appointed to revise and correct the same,
Which motion prevailed.

The Speaker appointed as such committee Messrs. Elliott, Larson and Simpson.

PETITIONS AND COMMUNICATIONS.

The following petition was presented by the Speaker:

To the Legislative Assembly of the State of North Dakota:

We, the undersigned, residents of Stark, Billings, Hettinger, Dunn, McKenzie, Alred, Mercer and Morton, being farmers, ranchmen and merchants

respectively, hereby petition your honorable body for the enactment, at this session, of such a law or laws as will protect the citizens of this State, owning cattle and farming, from the encroachment of cattle imported from Texas to this State; which said Texas cattle spread and communicate disease among the native cattle of our own ranchmen, run them from off their ranges and in other ways interfere with the following of their said calling.

Singed by

F. M. GILMAN,
and 14 others.

REPORT OF SELECT COMMITTEES.

Mr. Strom reported that the Committee could procure suitable rooms in the First National Bank Building; the State to furnish the rooms, provide fuel and janitor service; rooms to cost \$50 for the Session.

Mr. Hurley moved

That the report of the Committee be adopted,
Which motion prevailed.

Mr. Haugen moved

That 5,000 copies of the Message of the retiring Governor, A. H. Burke, and the Inaugural Address of Governor E. C. D. Shortridge be printed for general distribution,
Which motion prevailed.

INTRODUCTION OF BILLS, JOINT RESOLUTIONS AND MEMORIALS.

Mr. Newman introduced

House Bill No. 1,

A bill for an act to amend Section 3, of an act entitled "An act regulating appeals from District Courts to the Supreme Court, and to repeal Chapters 2 and 16 of the Code of Civil Procedure of Dakota Territory, as published in Levissee's Code, and Chapters 20 and 26 of the Session Laws of Dakota Territory, of the year 1887, and also Sections 5213 to 5239, both inclusive, of the Compiled Laws of Dakota Territory, for the year 1887." Passed at the Second Session of the Legislative Assembly of the State of North Dakota, in the year 1891,

Which was read the first time.

Mr. Haugen moved

That the rules be suspended, that House Bill No. 1 be read the second time and be referred to the Committee of the Whole as a special order for to-morrow at 3 o'clock p. m.

Mr. Kelly moved

To amend the motion by referring the bill to a Special Committee,

Which amendment was lost, and

The original motion prevailed, and

House Bill No. 1,

A bill for an act to amend Section 3, of an act entitled, "An act regulating appeals from District Courts to the Supreme Court,

and to repeal Chapters 2 and 16 of the Code of Civil Procedure of Dakota Territory, as published in Levissee's Code, and Chapters 20 and 26 of the Session Laws of Dakota Territory, of the year 1887, and also Sections 5213 to 5239, both inclusive, of the Compiled Laws of Dakota Territory, for the year 1887,"

Was read the second time and referred to the Committee of the Whole.

Mr. Haugen moved
That the House do now adjourn,
Which motion prevailed, and
The House adjourned.

J. G. HAMILTON,
Chief Clerk.

THIRD DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 5, 1893.

The House assembled at 2 o'clock p. m. pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All members present except Messrs. Oliver, Davis and Southard, who were excused.

Mr. Simpson moved

That the reading of the Journal be dispensed with and that a committee of three be appointed to examine and correct the same, Which motion prevailed.

The Speaker appointed as such committee Messrs. Simpson, O'Keefe and Hodgson.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Lohnes presented the following concurrent resolution:

CONCURRENT RESOLUTION.

WHEREAS, There has, during recent years, grown up among the Boards of Trade and Exchanges, a system of trading known as "options" and "futures" that enables non-owners to offer for sale quantities of wheat, cotton and other products of the soil greatly in excess of the quantities grown and available for delivery, and

WHEREAS, The Exchanges provide no means for discovering, but, on the contrary, resort to all manner of devices to prevent disclosure of the quantities offered, and what part thereof is in excess of the quantity produced and actually available for delivery, and

WHEREAS, The offerings of agricultural products in quantities greatly in excess of the quantity produced and available for delivery has the same effect as would an over production of the article so offered, determines the price the farmer shall receive for his products, reduces the returns received from the capital and labor employed in agriculture, diminishes the value of land, and its products impoverishes the cultivator, thereby destroying his power to purchase of the products of others; creates commercial stagnation; causes rapid and wide fluctuations, and great declines in price; intimidates and drives

from the market legitimate buyers; restricts and narrows that market by causing Spinner and Miller to buy only for instant consumption; tends to destroy owner's interest in the value of actual property protected by "hedged" sales, and usurping the functions of supply and demand; enables the option "dealer" to determine values by manipulation, and

WHEREAS, Such fictitious transactions upon the Exchanges that determine the value of actual products have become so numerous as to render agriculture unprofitable, and

WHEREAS, It is manifest that the wrongs thus inflicted upon 40 per cent. of the population engaged in agriculture, hence relief can come only through Congressional action; now, therefore,

Be it Resolved by the House of Representatives of the State of North Dakota, the Senate Concurring therein, That the Senators and Representatives in Congress assembled, be and they are hereby requested to enact the bill now pending in the Senate, being House Bill No. 7845, and known as the "Hatch Bill," or to at once enact some other law whereby the offering and sale of farm products upon the Exchanges shall be restricted to the owners thereof and those who have acquired from the owner the right to the future possession of the article offered, in order that the value of products of the soil shall not be beaten down and the prosperity of the cultivator destroyed by the offering of unlimited quantities of simulated or phantom products by those owning little or none of the articles offered.

Mr. Kelly moved

That the Concurrent Resolution be referred to the Committee of the Whole as a special order for Thursday, January 12, at 3 p. m.

Mr. Pierce moved

To amend by referring the Concurrent Resolution to a Special Committee of five.

Which motion was lost.

The question recurring upon the original motion of Mr. Kelly, the motion prevailed.

MOTIONS AND RESOLUTIONS.

Mr. Kelly introduced the following resolution:

Resolved, That the Secretary of State be requested to furnish for the use or guidance of the members, sixty-three copies each of the Session Laws of 1890 and 1891, and if possible one copy of the Compiled Laws to be placed on the clerk's desk for the use of the members as they may require.

Mr. Hurley moved

The adopting of the resolution,

Which motion prevailed, and

The resolution was adopted.

Mr. Wineman moved

That the members proceed to select seats by Legislative Districts.

Mr. Simpson moved

To amend by providing that Mr. Oliver and Mr. Davis be allowed to retain the seats already selected,

Which amendment prevailed.

The question then recurred upon the original motion, and
The original motion as amended prevailed.

Mr. Speaker announced a recess of 15 minutes for members to
select seats.

INTRODUCTION AND FIRST READING OF BILLS, JOINT RESOLUTIONS
AND MEMORIALS.

Mr. McLean introduced—

House Bill No. 2,

A bill for an act to provide for the right of erection of grain
warehouses and elevators on the right-of-way of railroad corpora-
tions and contiguous thereto,"

Which was read the first time.

Mr. Wineman introduced—

House Bill No. 3,

A bill for an act repealing an act entitled "An act creating the
office of State Superintendent of Irrigation and Forestry, and pre-
scribing the duties thereof,"

Which was read the first time.

Also

House Bill No. 4,

A bill for an act entitled "An act creating the office of State
Board of Auditors, and prescribing the duties thereof,"

Which was read the first time.

Mr. Strom introduced—

House Bill No. 5,

A bill for an act authorizing and empowering the boards of
directors of school districts to purchase text books, and allow-
ing the electors of districts and counties to decide the question
of uniformity and to provide means and authority for the pur-
chase of school books and supplies,

Which was read the first time.

Mr. Simpson introduced—

House Bill No. 6,

A bill for an act to amend Section 677, of the Code of Civil
Procedure, being Section 5499 of the Compiled Laws, relating
to damages for loss of life.

Which was read the first time.

Mr. Ueland introduced—

House Bill No. 7,

A bill for an act to require the county treasurers to deposit
the county funds in designated depositories,

Which was read the first time.

SPECIAL ORDER.

Mr. Haugen moved

That the House do now resolve itself into the Committee of

the Whole, for the purpose of considering House Bill No. 1, made a special order for 3 o'clock,

Which motion prevailed, and

The Speaker called Mr. Tufts to the Chair.

When the Committee arose the following report was presented:

MR. SPEAKER:

Your Committee of the Whole have had under consideration House Bill No. 1,

A bill for an act to amend Section 3, of an act entitled "An act regulating appeals from District Courts to the Supreme Court, and to repeal Chapters 2 and 16 of the Code of Civil Procedure of Dakota Territory, as published in Levissee's Code, and Chapters 20 and 26 of the Session Laws of Dakota Territory, of the year 1887, and also Sections 5213 to 5239, both inclusive, of the Compiled Laws of Dakota Territory, for the year 1887," passed at the Second Session of the Legislative Assembly of the State of North Dakota, in the year 1891,

And recommend that the title of the bill be amended to read as follows:

"A bill for an act to amend Section 3, of Chapter 120, of the Laws of 1891, regulating appeals to the Supreme Court."

Also that following the enacting clause the following words be inserted:

"That Section 3, of Chapter 120, of the Laws of 1891, be amended so as to read as follows: "Section 1,"

And when so amended that the bill do pass.

D. C. TUFTS,
Chairman.

Mr. Elliott moved

To adopt the report of the Committee of the Whole,

Which motion prevailed, and

The report was adopted.

Mr. Elliott moved

That House Bill No. 1 be placed upon its third reading and final passage,

Which motion prevailed

INTRODUCTION OF BILLS, ETC.

Speaker Walsh introduced—

House Bill No. 8,

A bill for an act to regulate the practice of veterinary, medicine, surgery and dentistry in the State of North Dakota,

Which was read the first time.

Mr. Ueland introduced—

House Bill No. 9,

A bill for an act regulating the liability of railroad companies or corporations for damages caused by fire escaping from their cars or engines, and the rules of evidence relating thereto,

Which was read the first time.

Mr. Strom moved

That the courtesies of the floor be extended to Mr. Upson of Traill County,

Which motion prevailed.

Mr. Strom moved

That the courtesies of the floor be extended to Hon. R. T. Kingman of Traill County,

Which motion prevailed.

The Speaker appointed as a special committee to examine and report on House Bill No 1, as to its correct engrossment, Messrs. Newman, Wineman and Cochrane.

The Speaker called the House to order.

REPORT OF SPECIAL ENGROSSMENT COMMITTEE.

MR. SPEAKER:

Your committee appointed to examine
House Bill No. 1,
Regulating appeals to the Supreme Court,
Have examined the same and find it correctly engrossed.

Respectfully,

SETH NEWMAN,
W. F. COCHRANE,
J. B. WINEMAN.

Mr. Haugen moved

That the report be adopted,
Which motion prevailed.

House Bill No. 1,

A bill for an act to amend Section 3, of Chapter 120 of the Laws of 1891, regulating appeals,

Was read the third time and placed upon its final passage.

The question being upon the passage of the bill,

The roll being called there were ayes 51, nays none, not voting 11, viz:

Those who voted in the affirmative were:

Messrs—

Benedict,
Bentley,
Boynton,
Bullard,
Burkhardt,
Churchill,
Cochrane,

Messrs—

Johnson of Sargent,
Johnson of G'd Forks,
Johnston,
Larson,
Lee,
Levang,
Logan,

Messrs—

Ritter,
Sanford,
Satterlund,
Severson,
Simpson,
Strom,
Theyton,

Messrs—	Messrs—	Messrs—
Ebbighausen,	Lohnes,	Towers,
Hagen,	McArthur,	Tufts,
Hall,	McCanna,	Ueland,
Halvorson,	McCulloch,	Veeder,
Haugen.	McLean,	Wallen,
Havrevold,	Newman,	Wineman,
Hodgson,	O'Keefe,	Wishek,
Horgan,	Oksendahl,	Wright,
Hurley,	Pierce,	Yegen,
James,	Rinde,	Mr. Speaker.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Caldwell,	Hallum,	Plain,
Davis,	Holliday,	Southard,
Deans,	Kelly,	Thompson.
Elliott,	Oliver,	

Messrs. Davis, Kelly, Oliver and Southard being excused.

So the bill passed and the title was agreed to.

Mr. Newman moved

To reconsider the vote by which the bill passed and to lay the motion to reconsider on the table,

Which motion prevailed.

Mr. Haugen moved

That the House do now adjourn,

Which motion prevailed, and

The House adjourned.

J. G. HAMILTON,
Chief Clerk.

FOURTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 6, 1893.

The House assembled at 2 o'clock p. m., pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All members present except Messrs. Davis, Southard, Newman and Oliver, who were excused.

Mr. Horgan moved

That the reading of the Journal be dispensed with, and that a Committee of three be appointed to revise and correct the same, Which motion prevailed.

Mr. Speaker appointed as such Committee, Messrs. Horgan, Logan and Satterlund.

The courtesies of the floor were extended to Messrs. Ratzluff and Stevens of Griggs county.

REPORT OF SPECIAL COMMITTEES.

MR. SPEAKER:

Your Committee to revise, correct and report the Journal of the first day, have examined the same and recommend the following corrections:

On page 1, insert Rev. G. A. Chambers.

On page 1, after Eighth District, insert the name of O. S. Wallen.

On page 2, after Thirteenth District, omit the name of Theo. Johnson.

On page 4, after the name Riggs, strike out Cavalier and insert Towner.

On page 6, strike out the name of J. B. St. Clair and insert the name of J. B. Sinclair.

On page 10, after the name A. B. Rohrer, insert the word watchman for doorkeeper.

On page 11, after the words "foregoing officers and employes," insert by the Speaker of the House, in lieu of Hon. W. H. Winchester, Judge of the Sixth Judicial District,

And, with these corrections, recommend that the Journal be approved.

T. M. ELLIOTT,
L. H. LARSON,
L. A. SIMPSON.

The report was adopted.

MR. SPEAKER:

Your committee to examine and correct the Journal of the second day report the same to be correct.

L. A. SIMPSON,
JOHN E. HODGSON,
WM. O'KEEFE.

The report was adopted.

The courtesies of the floor were extended to Mr. Plummer of Hillsboro.

COMMITTEE ON RULES.

Your committee on rules submit the following report:

MR. SPEAKER:

Your Committee on Rules recommend the adoption of the rules of the Second Legislative Assembly, so far as they relate to standing committees; and we further recommend that a committee of seven members be appointed on sheep husbandry.

D. C. TUFTS,
Chairman *pro tem.*

Mr. Haugan moved
To adopt the report of the committee,
Which motion prevailed.

Mr. Speaker called Mr. Bentley to the chair.

MOTIONS AND RESOLUTIONS.

Mr. Yegan moved
That the Concurrent Resolution relating to the Anti-Option Law be recalled from the Senate.

Roll call demanded.

The roll being called there were ayes 33, nays 23.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Horgan,	Sanford,
Bentley,	Hurley,	Satterlund,
Burkhardt,	James,	Severson,
Churchill,	Johnson, Gra'd F'rks	Simpson,
Cochrane,	Johnston,	Thexton,
Deans,	Kelly,	Tufts,
Ebbighausen,	Larson,	Veeder,
Hallum,	O'Keefe,	Wineman,
Halvorson,	Oksendahl,	Wishek,
Havrevold,	Pierce,	Yegen,
Holliday,	Ritter,	Mr. Speaker.

Those voting in the negative were:

Messrs—	Messrs—	Messrs—
Bullard,	Lee,	Plain,
Caldwell,	Levang,	Rhine,
Elliott,	Logan,	Strom,
Hagen,	Lohnes,	Thompson,
Hall,	McArthnr,	Towers,
Haugen,	McCanna,	Ueland,
Hodgson,	McCulloch,	Wright.
Johnson, of Sargent,	McLean.	

Messrs. Boyton and Wallen being absent and not voting.

Messrs. Davis, Newman and Southard being excused.

So the motion prevailed.

Mr. Sanford moved

That a copy of the bill known as the Anti-Option Bill be furnished each member of the House.

Mr. McCanna moved

As an amendment that the Secretary of State be requested by the Clerk to furnish to each member a printed copy of said bill.

Mr. Walsh gave notice that he would move a reconsideration of the vote by which Concurrent Resolution relating to the Anti-Option Law was passed.

Mr. Strom moved

That the reconsideration of the vote by which the Concurrent Resolution was passed be made a special order for Tuesday, January 10, at 4 o'clock p. m.

Mr. Simpson moved

To amend by indefinitely postponing further consideration of the question.

The question being on the amendent,
Roll call demanded.

The roll being called there were ayes 21, nays 35.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Caldwell,	Lee,	Rinde,
Cochrane,	Levang,	Simpson,
Elliott,	Logan,	Thompson,
Hagen,	Lohnes,	Towers,
Haugen,	McCanna,	Ueland,
Hodgson,	McCulloch,	Wallen,
Johnson, of Sargent,	Plain,	Wright.

Those voting in the negative were:

Messrs—	Messrs—	Messrs—
Bentley,	Horgan,	Sanford,
Boynton,	Hurley,	Satterlund,
Bullard,	James,	Severson,
Burkhardt,	Johnson, Gr'nd F'rks,	Strom,
Churchill,	Johnston,	Thexton,
Deans,	Kelly,	Tufts,
Ebbighausen,	Larson,	Veeder,
Hall,	McLean,	Wineman,
Hallum,	O'Keefe,	Wishek,
Halvorson,	Oksendahl,	Yegen,
Havrevold,	Pierce,	Mr. Speaker.
Holliday,	Ritter,	

Mr. Benedict being absent and not voting.

Messrs. Davis, McArthur, Newman, Oliver and Southard being excused.

So the motion to indefinitely postpone was lost.

The question recurring on the original motion,
The original motion prevailed.

Mr. Yegen offered the following resolution and moved its adoption:

Resolved, That the Secretary of State be and is hereby requested to furnish the members of the House with a copy each of the reports of the Commissioners of Railroads, for the years 1891 and 1892.

Which motion prevailed, and
The resolution was adopted.

Mr. Walsh moved

That when the House adjourn, it adjourn to meet Monday, January 9, at 2 p. m.,

Which motion prevailed.

INTRODUCTION AND FIRST READING OF BILLS, JOINT RESOLUTIONS
AND MEMORIALS.

Mr. Kelley introduced—

House bill No. 10,

A bill for an act providing for an appropriation of money for completion of the building for the School for the Deaf and Dumb and for contingent expenses thereto,

Which was read the first time.

Also,

House Bill No. 11,

A bill for an act providing for an appropriation for the maintenance and for current and contingent expenses of the School for the Deaf and Dumb,

Which was read the first time.

Mr. McCanna introduced—

House Bill No. 12,

A bill to amend Section 11 of Chapter 126, Session Laws, 1891,

Which was read the first time.

Also,

House Bill No. 13,

An act prescribing the qualifications of deputies, clerks and employes of the State, county and municipal governments of and within the State of North Dakota,

Which was read the first time.

Mr. Wineman introduced—

House Bill No. 14,

An act amending Sections 5048 and 5049, Compiled Laws of 1887, relating to trials,

Which was read the first time.

Also,

House Bill No. 15,

An act amending Sections 6490 and 7429, and Subdivision 2 of Section 6772 of the Compiled Laws of 1887, relating to the Penal Code,

Which was read the first time.

Mr. Hurley introduced—

House Bill No. 16,

A bill to fix the terms of the district court in the Third Judicial District,

Which was read the first time.

Mr. Sanford introduced—

House Bill No. 17,

A bill to fix all railroad rates of fare for passenger travel at not over three cents per mile and to prescribe a penalty for exacting or receiving a greater rate,

Which was read the first time.

Mr. McCanna introduced—

House Bill No. 18,

A bill for an act to amend Chapter 26 of the General Laws of 1889, entitled "An act to give publicity to chattel mortgage sales, as amended by Chapter 40 of the General Laws of 1890, by adding after Section 9 of said Chapter 26, the following sections as Sections 10, 11 and 12 of said Chapter 26,"

Which was read the first time.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:

I have the honor to return herewith the Concurrent Resolution relating to the Anti-Option Bill, as requested by the House of Representatives.

W. D. McCLINTOCK,
Acting Secretary.

SECOND READING OF HOUSE BILLS.

House Bill No. 2,

A bill for an act to provide for the right of erection of grain warehouses and elevators on the right-of-way of railroad corporations and contiguous thereto,

Was read the second time.

Mr. McLean moved

That the bill be made a special order for Wednesday, January 11, at 3 o'clock p. m.

House Bill No. 3,

A bill for an act repealing an act entitled "An act creating the office of State Superintendent of Irrigation and Forestry, and prescribing the duties thereof,"

Was read the second time and to be referred to the Committee on Forestry when appointed.

House Bill No. 4,

A bill for an act entitled "An act creating the office of State Board of Auditors and prescribing the duties thereof,"

Was read the second time and to be referred to the Committee on State Affairs when appointed.

House Bill No. 5,

A bill for an act authorizing and empowering the boards of directors of school districts to purchase text books, and allowing the electors of districts and counties to decide the question of uniformity and to provide means and authority for the purchase of school books and supplies,

Was read the second time and to be referred to the Committee on Education when appointed.

House Bill No. 6,

A bill for an act to amend Section 677, of the Code of Civil Procedure, being Section 5499 of the Compiled Laws, relating to damages for loss of life,

Was read the second time and to be referred to the Committee on Judiciary when appointed.

House Bill No. 7,

A bill for an act to require the county treasurers to deposit the county funds in designated depositories,

Was read the second time and to be referred to the Committee on State Affairs when appointed.

House Bill No. 8,

A bill for an act to regulate the practice of veterinary medicine, surgery and dentistry in the State of North Dakota,

Was read the second time and to be referred to the Committee on Agriculture when appointed.

House Bill No. 9,

A bill for an act regulating the liability of railroad companies or corporations for damages caused by fire escaping from their cars or engines, and the rules of evidence relating thereto,

Was read the second time and to be referred to the Committee on Judiciary when appointed.

Mr. Haugen moved

To reconsider the vote by which the House voted when it adjourned to adjourn to Monday, January 9,

Which motion prevailed.

Mr. Haugen moved

That when the House adjourn, it adjourn to meet on Tuesday, January 10.

Mr. Hallum moved

To amend by striking out "Tuesday" and inserting "Monday," January 9,

Which amendment was adopted,

And the question recurring upon the original motion as amended,

The original motion prevailed.

Mr. Haugen moved

That the House do now adjourn,

Which motion prevailed, and

The House adjourned.

J. G. HAMILTON,
Chief Clerk.

SEVENTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 9, 1893.

House assembled at 2 o'clock p. m., pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All members present except Messrs. Davis, Ebbighausen, Hagen, Hallum, Halvorson, Johnson, Lee, Newman and Severson, who were excused.

Mr. Ueland moved

That the reading of the Journal be dispensed with, and that a Committee of three be appointed to correct the same,
Which motion prevailed.

Mr. Speaker appointed as such committee, Messrs. Ueland, Oksendahl and Yegen.

The committee to examine and correct the Journal of the third day, made the following report:

MR. SPEAKER:

Your committee to examine and correct the Journal of the third day, report that they have examined the same and find it to be correct.

PATRICK HORGAN,
Chairman.

REPORTS OF STANDING COMMITTEES.

Mr. Oliver, from the Committee on Rules, offered the following recommendation and moved its adoption:

MR. SPEAKER:

Your Committee on Rules respectfully recommend that a new

committee to consist of eight members, and to be known as the Committee to Revise and Correct the Journals be created.

H. S. OLIVER,
Chairman.

Which motion prevailed and the report was adopted.

MOTIONS AND RESOLUTIONS.

Mr. Deans offered the following resolution:

Resolved, That the members of the House be furnished with one hundred extra copies of the Journal, and also one hundred extra House bills; so the members can furnish the press of their respective districts with the same.

Mr. McCulloch moved

As an amendment that five extra copies of the Journal and House bills be printed for each member,

Which amendment was accepted,

The question being on the resolution as amended,

The resolution was adopted.

Mr. Speaker announced the appointment of the following standing committees:

HOUSE STANDING COMMITTEES.

RULES—Messrs. Oliver, Chairman, Wallen, Newman, Tufts, Havrevold, Hodgson, Ueland, Horgan, Hall.

JUDICIARY—Messrs. Newman, Chairman, Wineman, Cochrane, Simpson, Wishek, Ueland, Southard, McCanna, Hall, Hodgson, Oliver, Benedict, Pierce, Strom, Haugen.

WAYS AND MEANS—Messrs. Cochrane, Chairman, Bullard, Wallen, Elliott, Simpson, Hallum, Havrevold, Ebbighausen, Hall, McArthur, Caldwell.

RAILROADS—Messrs. Boynton, Chairman, Oliver, Ueland, McArthur, Satterlund, Ebbighausen, Horgan, McCanna, Johnson, of Grand Forks, Thompson, Benedict, Hodgson, Bentley, Larson, Lohnes.

APPROPRIATIONS—Messrs. Bentley, Chairman, Wineman, Wright, Southard, Benedict, Kelly, Hurley, Logan, Bullard, O'Keefe, James, Oliver, Haugen.

ENGROSSMENT—Messrs. Pierce, Chairman, Wallen, Tufts, Yegen, James, Ebbighausen, Levang, Hodgson, Veeder.

ENROLLMENT—Messrs. Haugen, Chairman, Wright, Johnson, of Sargent, Wishek, Johnston, Sanford, Tufts, Rinde, Halvorson.

EDUCATION—Messrs. Logan, Chairman, Boynton, Towers, Deans, Holliday, Benedict, Yegen, Pierce, Wallen.

ELECTIONS AND PRIVILEGES—Messrs. Yegen, Chairman, Oliver, Elliott, Hall, Simpson, Haugen, Johnson of Grand Forks, Wallen, McCulloch.

MUNICIPAL CORPORATIONS—Messrs. Lohnes, Chairman, Newman, Logan, Severson, Wineman, McCanna, Johnston, Caldwell, Bentley.

CORPORATIONS OTHER THAN MUNICIPAL—Messrs. Wineman, Chairman, Levang, Satterlund, Johnson of Sargent, McLean, Ebbinghausen, Benedict, Veeder, Bullard.

AGRICULTURE—Messrs. Wallen, Chairman, Ritter, Rinde, Oksendahl, Johnston, Plain, James, Pierce, Tufts.

PUBLIC PRINTING—Messrs. Wishek, Chairman, Churchill, Logan, Hall, Newman, Yegen, McLean, Lee, Strom.

IRRIGATION—Messrs. Hall, Chairman, Severson, Strom, Hagen, Plain, Lohnes, Tufts, Ueland, Bullard.

INSURANCE—Messrs. Churchill, Chairman, Simpson, Thompson, Thexton, Hall, Hurley, Satterlund, Johnson, Cochrane.

BANKING—Messrs. Elliott, Chairman, Southard, Satterlund, McCanna, O'Keefe, Plain, Veeder, Larson, Wineman.

LABOR—Messrs. McCulloch, Chairman, Burkhardt, Ritter, Thexton, Deans, Oksendahl, Larson, Davis, Levang.

IMMIGRATION—Messrs. Ritter, Chairman, Pierce, Thompson, Southard, Sanford, James, McArthur, Caldwell, Wright.

APPORTIONMENT—Messrs. Strom, Chairman, Elliott, Hodgson, Pierce, Yegen, Southard, Ritter, Hagen, Deans, Boynton, Halvorson, McCanna, Horgan, Ueland, Wineman, Churchill, Sanford, Thexton, Simpson, McLean, Lohnes, Rinde, McCulloch, Oksendahl, Wishek, Johnston, Towers, Lee, Davis, Satterlund, Veeder.

SCHOOL AND PUBLIC LANDS—Messrs. Tufts, Chairman, Larson, Logan, Cochrane, O'Keefe, Johnson, of Grand Forks, Churchill, Lee, Southard.

PUBLIC HEALTH—Messrs. Benedict, Chairman, Towers, Bentley, McArthur, Hagen, Hallum, Horgan, Severson, Oksendahl.

MILITARY AFFAIRS—Messrs. McLean, Chairman, Bentley, Ritter, Halvorson, Ebbighausen, Plain, Oliver, Burkhardt, Thompson.

WAREHOUSES, GRAIN GRADING AND DEALING—Messrs. Oliver, Chairman, Tufts, Havervold, Lee, Hurley, Churchill, Plain, Halvorson, Levang, Strom, Wishek, Horgan, Johnston, Kelly, Holliday.

FEDERAL RELATIONS—Messrs. Ebbighausen, Chairman, Newman, Wineman, Bullard, McCulloch, Johnston, Holliday, Caldwell, Boynton.

MINES AND MINING—Messrs. Burkhardt, Chairman, Rinde, Davis, Bentley, McArthur, Thexton, Holliday, Veeder, Hagen.

TEMPERANCE—Messrs. Haugen, Chairman, Johnson, of Sargent, Ebbighausen, Johnson, of Grand Forks, Horgan, Levang, Strom, Thompson, Deans.

HIGHWAYS AND BRIDGES—Messrs. Larson, Chairman, Rinde, Burkhardt, Churchill, O'Keefe, James, Wright, Thompson, Lohnes.

STATE AFFAIRS—Messrs. Ueland, Chairman, Hurley, Churchill, Elliott, O'Keefe, Kelly, Yegen, Bentley, Burkhardt.

SUPPLIES AND EXPENDITURES—Messrs. Bullard, Chairman, Towers, Simpson, Burkhardt, McLean, Plain, Halvorson, Hagen, Davis.

FORRESTRY—Messrs. McCanna, Chairman, Davis, Severson, Sanford, Kelly, Strom, Lee, Elliott, Wright.

PUBLIC DEBT—Messrs. Wright, Chairman, Hurley, Caldwell, Boynton, Holliday, Hallum, Tufts, Havervold, Towers.

COUNTIES AND COUNTY BOUNDARIES—Messrs. Simpson, Chairman, Johnson, of Sargent, Satterlund, Halvorson, Oksendahl, O'Keefe, Horgan, Ritter, Rinde.

TAXATION AND TAX LAWS—Messrs. Southard, Chairman, Larson, Wineman, Hallum, Deans, Thexton, Oliver, Cochrane, Hodgson.

WOMAN SUFFRAGE—Messrs. Havervold, Chairman, Ritter, Davis, Lee, Oksendahl, Thexton, Towers, Severson, Lohnes.

MANUFACTURES—Messrs. McArthur, Chairman, Cochrane, Caldwell, Boynton, Johnson, of Grand Forks, Holliday, Churchill, Logan, Haugen.

COAL LANDS AND MINING—Messrs. Veeder, Chairman, Hurley, McCulloch, Simpson, McLean, Sanford, Wishek, Johnson, of Sargent, Havrevold.

SHEEP HUSBANDRY—Messrs. Davis, Chairman, Sanford, Levang, Larson, Lohnes, Johnston, Deans, Veeder, Hagen.

JOINT STANDING COMMITTEES.

PUBLIC BUILDINGS—Messrs. Halvorson, Chairman, Thompson, Cochran, Boynton, Havrevold, Hallum, James, Ueland, McArthur.

CHARITABLE INSTITUTIONS—Messrs. Horgan, Chairman, Severson, Logan, Wallen, Kelly, Wright, McCanna, McCulloch, Haugen.

PENAL INSTITUTIONS—Messrs. Severson, Chairman, Yegen, Rinde, Burkhardt, James, Deans, Benedict, Thompson, Wishek.

EDUCATIONAL INSTITUTIONS—Messrs. Deans, Chairman, Bentley, Boynton, Haugen, Newman, Towers, Strom, Levang, Johnson, of Sargent.

STATE LIBRARY—Messrs. Hurley, Chairman, Simpson, Yegen, Ueland, Hallum, Kelly, Oliver, Hagen, Davis.

JOINT RULES—Messrs. Hodgson, Chairman, McCulloch, Wallen, McLean, McCanna, Pierce, Tufts, Bentley, Wineman.

I would recommend in addition to the foregoing that a joint committee of nine members of the House and five members of the Senate be appointed upon World's Fair matters; said committee to be authorized to visit Chicago at once, for the purpose of viewing the State building and report upon its condition and upon the expenditure of the moneys appropriated therefor.

Respectfully,
GEO. H. WALSH,
Speaker.

Mr. Oliver moved
The adoption of the report,
Which motion prevailed.

Mr. Speaker announced the following appointments:

To the Honorable Members of the House of Representatives:

I hereby appoint to the various positions in the House not yet filled the following:

Doorkeeper of Gallery—Edward Chandler, appointed January 3.

Janitors Committee Rooms—W. E. Martin, appointed January 5; Jas. Monrean, appointed January 7.

Col. Topping in charge of cloak rooms, appointed January 9.

Additional Page for Chief Clerk and Speaker—Alfred Burnie, appointed January 9.

ASSISTANT ENROLLING AND ENGROSSING CLERKS.

Frank L. Williams, appointed January 3, and assigned to keep time and make out vouchers for officers of the House.

Stuart Walsh, appointed January 3, and assigned in charge of House and Senate Bills, House and Senate Journals and Stationery.

Miss A. E. Spear, assigned as Clerk of Committee on Railroads, January 9.

W. J. Hughes as Assistant Enrolling and Engrossing Clerk, assigned as Clerk of Warehouse, Grain and Grain Dealing Committee, January 9.

C. G. Myhre, assigned as Clerk of Committee on Elections, January 9.

Charles A. Bentley, assigned as Clerk of Committee on Appropriations, January 9.

Henry Larson, assigned as Clerk of Committee on Apportionment, January 9.

J. R. Pollock, assigned as Clerk of Committee on Taxes and Tax Laws, January 9.

J. K. Porter, assigned as Clerk of Committee on Counties and County Boundaries, January 9.

Chas. J. Allen, assigned as Clerk of Committee on Ways and Means, January 9.

F. J. Vankirk, assigned as Clerk of Committee on Corporations, January 9.

Clerks of Committee on Engrossment, appointed January 9—Henry Lavaye, Andrew Sinclair, C. J. O'Keefe, Geo. Guscott, Geo. Watson, A. Currie.

Clerks of Committee on Enrollment, appointed January 9—Morris Holcombe, A. W. Clyde, A. E. Raney, Jno. F. Murphy, W. H. White, H. C. Hurd, W. H. Douglass, Ed. Murphy, Alfred D. Farr and W. C. Baker.

The following additional Assistant Enrolling and Engrossing Clerks are appointed for assignment to clerical work when deemed necessary by the Committee on Enrollment and Engrossment, and their appointments are conditional that they shall be necessary. viz.: Miss Jennie Campbell, Miss Kittie Davidson, Urbane Potter, Miss E. Whiting, Miss Nellie McDonald, Jorgen Olofson, J. W. Murphy, G. D. Smith, James Staley, A. H. Riggs, B. Hennessy, Dan Stewart, Mr. Gill.

There will necessarily be more work for clerks at this session than at any former session of the Legislative Assembly, owing to the fact that the committee to compile and certify the laws will make an exhaustive report, and the entire statutes will necessarily go to the several committees.

I will appoint no further clerks or employes except upon recommendation of committees or upon resolution of the House.

GEO. H. WALSH,
Speaker.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER, }
January 9, 1892. }

MR. SPEAKER:

I have the honor to transmit herewith
House Bill No. 1,

A bill for an act to amend Section 3 of Chapter 120 of the Laws
Which the Senate has passed unchanged.
of 1891 regulating appeals in the supreme court,

FRED FALLEY,
Secretary.

INTRODUCTION AND FIRST READING OF BILLS, JOINT RESOLUTIONS
AND MEMORIALS.

Mr. Sanford introduced—

House Bill No. 19,

A bill for an act to amend Sections 1, 2, 3 and 7 of Chapter 184
of the Session Laws of 1890, entitled "An act defining usury and

the penalty for taking the same," passed at the Second Session of the Legislative Assembly of North Dakota. Approved March 31, 1890,

Which was read the first time.

Mr. Boynton introduced—

House Bill No. 20,

A bill for an act to amend Sections 52, 55 and 56, and to repeal Sections 60 and 61 of Chapter 132 of an act entitled "An act prescribing the mode of making assessments, and the levy and collection of taxes, and for other purposes relating thereto,"

Which was read the first time.

Mr. Simpson introduced—

House Bill No. 21,

A bill for an act to amend Section 1 of Chapter 100 of the Session Laws of 1891, by striking out the eleventh subdivision thereof, exempting personal property from taxation to the value of \$200,

Which was read the first time.

Mr. Wineman introduced—

House Bill No. 22,

A bill for an act exempting volunteer firemen from jury duty and payment of poll tax,

Which was read the first time.

Also,

House Bill No. 23,

A bill for an act to amend Sections 2, 3, 4, 5 and 6 of Chapter 81 of Session Laws of 1890, relating to the boundaries and subdivision of the First Judicial District, and fixing the terms of court therein,

Which was read the first time.

Mr. Cochrane introduced—

House Bill No. 24,

A bill for an act to amend Section 3 of Chapter 50 of the Laws of 1890.

Which was read the first time.

Mr. Lohnes introduced—

House Bill No. 25,

A bill for an act to amend Section 2, Chapter 133, Session Laws of 1891, entitled, "An act to amend Section 2, Chapter 161, of Session Laws of 1890," entitled, 'An act to create an Institute for the Education of the Deaf and Dumb of North Dakota, and providing for its support and management,' "

Which was read the first time.

Mr. Oliver introduced—

House Bill No. 26,

A bill for an act to amend Section 16 of Chapter 78 of the

General Laws of 1890, entitled "An act to amend Section 16 of Chapter 69 of the General Laws of 1885, and Section 10, Chapter 69, of the General Laws of 1889, relating to the publication of insurance statements,"

Which was read the first time.

REPORT OF COMMITTEE ON ENROLLMENT.

The Committee on Enrollment made the following report:

MR. SPEAKER:

Your Committee on Enrollment have examined
House Bill No. 1,

A bill for an act to amend Section 3 of Chapter 120 of the Laws of 1891, regulating appeals in the Supreme Court,

And find the same correctly enrolled.

ARNE P. HAUGEN,
Chairman.

The Speaker announced his signature to House Bill No. 1.

SECOND READING OF HOUSE BILLS, JOINT RESOLUTIONS AND MEMORIALS.

House Bill No. 10,

A bill for an act providing for an appropriation of money for completion of the building for the School for the Deaf and Dumb and for contingent expenses thereto,

Was read the second time and referred to Committee on Appropriations.

House Bill No. 11,

A bill for an act providing for an appropriation for the maintenance and for current and contingent expenses of the School for the Deaf and Dumb,

Was read the second time and referred to the Committee on Appropriations.

House Bill No. 12,

A bill to amend Section 11 of Chapter 126, Session Laws 1891,

Was read the second time and referred to the Committee on Warehouses, Grain Grading and Dealing.

House Bill No. 13,

An act prescribing the qualifications of deputies, clerks and employes of the State, county and municipal governments of and within the State of North Dakota,

Was read the second time and referred to the Committee on Judiciary.

House Bill No. 14,

An act amending Sections 5048 and 5049, Compiled Laws of 1887, relating to trials,

Was read the second time and referred to the Committee on Judiciary.

House Bill No. 15,

An act amending Sections 6490 and 7429, and Subdivision 2 of Section 6772 of the Compiled Laws of 1887, relating to the Penal Code,

Was read the second time and referred to the Committee on Judiciary.

House Bill No. 16,

A bill to fix the terms of the district court in the Third Judicial District,

Was read the second time and referred to the Committee on Judiciary.

House Bill No. 17,

A bill to fix all railroad rates of fare for passenger travel at not over three cents per mile, and to prescribe a penalty for exacting or receiving a greater rate,

Was read the second time and referred to the Committee on Railroads.

House Bill No. 18,

A bill for an act to amend Chapter 26 of the General Laws of 1889, entitled "An act to give publicity to chattel mortgage sales, as amended by Chapter 40 of the General Laws of 1890, by adding after Section 9 of said Chapter 26, the following sections as Sections 10, 11 and 12 of said Chapter 26,"

Was read the second time and referred to the Committee on Judiciary.

SECOND READING OF HOUSE BILLS.

House Bill No. 19,

A bill for an act to amend Sections 1, 2, 3 and 7 of Chapter 184 of the Session Laws of 1890, entitled "An act defining usury and the penalty for taking the same," passed at the Second Session of the Legislative Assembly of North Dakota, approved March 31, 1890,

Was read the second time and referred to the Committee on Banking.

Mr. Oliver moved

That the rules be suspended and that all bills introduced to-day be read the second time and referred to their appropriate committees,

Which motion prevailed.

SECOND READING OF HOUSE BILLS.

House Bill No. 20,

A bill for an act to amend Sections 52, 55 and 56, and to repeal

Sections 60 and 61 of Chapter 132 of an act entitled "An act prescribing the mode of making assessments, and the levy and collection of taxes, and for other purposes relating thereto,"

Was read the second time and referred to the Committee on Taxation and Tax Laws.

House Bill No. 21,

A bill for an act to amend Section 1 of Chapter 100 of the Session Laws of 1891, by striking out the eleventh subdivision thereof, exempting personal property from taxation to the value of \$200,

Was read the second time and referred to the Committee on Taxation and Tax Laws.

House Bill No. 22,

A bill for an act exempting volunteer firemen from jury duty and payment of poll tax,

Was read the second time and referred to the Committee on Municipal Corporations.

House Bill No. 23,

A bill for an act to amend Sections 2, 3, 4, 5 and 6 of Chapter 81, Session Laws of 1890, relating to the boundaries and subdivisions of the First Judicial District, and fixing the terms of court to be held therein,

Was read the second time and referred to the Committee on Judiciary.

House Bill No. 24,

A bill for an act to amend Section 3, Chapter 50, Laws of 1890,

Was read the second time and referred to the Committee on Counties and County Boundaries.

House Bill No. 25,

A bill for an act to amend Section 2, Chapter 133, Session Laws of 1891, entitled "An act to amend Section 2, Chapter 161, of Session Laws of 1890, entitled 'An act to create an institute for the education of the deaf and dumb of North Dakota, and providing for its support and management,'"

Was read the second time and referred to the Committee on Charitable Institutions.

House Bill No. 26,

A bill for an act to amend Section 16 of Chapter 78 of the General Laws of 1890, entitled "An act to amend Section 16 of Chapter 69 of the General Laws of 1885, and Section 10, Chapter 69 of the General Laws of 1889, relating to the publication of insurance statements,"

Was read the second time and referred to the Committee on Insurance.

Mr. Oliver introduced the following resolution:

CONCURRENT RESOLUTION.

Be it Resolved by the House of Representatives, the Senate Concurring: That a joint committee, consisting of nine members of the House and five members of the Senate, be appointed upon World's Fair matters, said committee to be authorized to visit Chicago at once for the purpose of viewing the State Building and report upon its condition and upon the expenditure of the moneys appropriated therefor.

Mr. Havrevold moved

The adoption of the resolution.

Mr. Southard moved that the further consideration of the concurrent resolution be postponed until January 17 at 2 p. m.

Mr. Caldwell moved

As an amendment that the further consideration of the resolution be indefinitely postponed.

Mr. Oliver raised the point of order that a vote had been taken and a division of the House was demanded and that both these motions were out of order.

The Speaker decided the point of order well taken.

Upon division of the House the resolution was lost.

Mr. Wineman moved

That House Bill No. 4 be recalled from the Committee on State Affairs and be referred to the Committee on Taxation and Tax Laws.

There being no objection the Speaker so ordered.

The Speaker presented the following telegram:

WASHINGTON, D. C., Jan. 9, 1893.

Hon. Geo. H. Walsh—I expect to be in Bismarck Thursday or Friday morning at the latest. Kindly ask the members of the House to give me a hearing upon some of the issues before them.

NEHEMIAH G. ORDWAY.

Mr. Ueland presented the following report:

MR. SPEAKER:

Your Committee on the correction of the Journal of January 6th beg leave to report they find the same correct.

L. A. UELAND,
Chairman.

Mr. Oliver moved

That House Bill No. 2, now a special order for Wednesday, be recalled from the Committee of the Whole and be referred to the Committee on Warehouses and Grain Grading and Dealing,

Which motion prevailed.

The Committee on Enrollment made the following report:

MR. SPEAKER:

The Committee on Enrollment respectfully report that

House Bill No. 1,

A bill for an act to amend Section 3, Chapter 120, Laws of 1891, regulating appeals in the Supreme Court,

Was delivered to the Governor for his approval at the hour of 5:10 o'clock p. m., January 9, 1893.

ARNE P. HAUGEN,
Chairman.

Mr. Strom, from the special committee appointed to select committee rooms, reported that they had arranged for four rooms over the First National Bank.

Mr. Hurley moved
That the House do now adjourn,
Which motion prevailed, and
The House adjourned.

J. G. HAMILTON,
Chief Clerk.

EIGHTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 10, 1893.

The House assembled at 2 o'clock p. m., pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All members present, except Messrs. Davis, Halvorson and Newman, who were excused.

STANDING COMMITTEE.

Mr. Speaker announced as a standing committee to correct the Journal, Messrs. Tufts, Johnson, of Grand Forks, Ueland, Hall, Logan, Wright and Oliver.

REPORT OF SPECIAL COMMITTEES.

Mr. Strom, from the committee on rooms, made the following report and moved its adoption:

The committee on committee rooms made the following report:

MR. SPEAKER:

Your committee on rooms, to whom was referred the matter of procuring rooms for House committees for the session, beg leave to report that they have rented four rooms on the first floor in the First National Bank building and have had same fitted out with stoves, lights, tables, chairs and stationery, and that all of said rooms are now in readiness for the use of the committees at any time.

H. H. STROM,
Chairman.

MOTIONS AND RESOLUTIONS.

Mr. Wright moved

That the Chief Clerk be and he is hereby instructed to have

printed copies of the rules and standing committees in manual form for the use of members,

Which motion prevailed.

Mr. Bentley moved

That the courtesies of the floor be extended to Captain Bartlett, of Dickey, and Major Flemming, of Cass.

Mr. Havrevold moved

That the courtesies of the floor be extended to Mr. Michaels, of Benson.

Mr. Hall moved

That the courtesies of the floor be extended to Mr. Marshall, of Eddy.

Mr. Boynton moved

That the courtesies of the floor be extended to Mr. Steele and Mr. Bill, of Stutsman.

Mr. Hagen moved

That the courtesies of the floor be extended to Mr. Black and Mr. Wright, of Barnes.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, January, 9, 1893. }

MR. SPEAKER:

I have the honor to inform you that the Senate has appointed the following Committee on Joint Rules, viz.: Messrs. LaMoure, Cashel, Johnson, White, Pinkham, Bidlake, Hillier, who are ready to meet the House Committee at any time.

Respectfully,

FRED FALLEY,
Secretary.

REPORT OF THE COMMITTEE TO CORRECT THE JOURNAL.

MR. SPEAKER:

Your committee appointed to revise and correct the Journal of the seventh day have examined the same and recommend the following corrections:

On page 2 strike out of Railroad Committee "Pierce," and insert "Bentley;" and on page 5, in line 26, strike out "Some committee," and insert "The several committees;" on page 5 add to Clerks of Committee on Enrollment, appointed January 9, "Alfred Farr;" on page 10, after "Mr. Havrevold moved the adoption of the resolution," strike out "Which motion prevailed and the resolution was adopted,"

And with these corrections recommend that the Journal of the seventh day be approved.

D. C. TUFTS,
Chairman.

INTRODUCTION AND FIRST READING OF HOUSE BILLS.

Mr. Elliott introduced—
House Bill No. 27,

A bill for an act providing for an appropriation for the current and contingent expenses of furnishing, maintaining, and for making needed permanent improvements for the Soldiers' Home at Lisbon,

Which was read the first time.

Mr. Walsh introduced—
House Bill No. 28,

A bill for an act to provide for a creditable Educational and Woman's Work Exhibit at the World's Columbian Exposition,
Which was read the first time.

Mr. Wishek introduced—
House Bill No. 29,

A bill for an act to establish the Thirty-second Senatorial and Legislative District,

Which was read the first time.

Mr. Hurley introduced—
House Bill No. 30,

A bill for an act to fix the terms of the district court in the Third Judicial District,

Which was read the first time.

Mr. Pierce introduced—
House Bill No. 31,

A bill for an act to amend Chapter 81 of the Laws of 1891,
Which was read the first time.

Mr. Wineman introduced—
House Bill No. 32,

A bill for an act to amend Section 5, Chapter 100, of the Session Laws of 1890, providing for the collection of city and school taxes,

Which was read the first time.

Also,
House Bill No. 33,

A bill for an act to amend Section 2578, Compiled Laws of 1887,

Which was read the first time.

Mr. Logan introduced—
House Bill No. 34,

A bill for an act to encourage the development of the coal mines of the State, and to determine the kind of coal that shall be used in the various State institutions, county buildings and public schools of the State,

Which was read the first time.

Mr. Strom introduced—

House Bill No. 35,

A bill for an act to amend Section 15, of Chapter 67, of the Laws of 1887, being Section 3097 of the Compiled Laws of 1887, relating to county mutual insurance companies and changing the time for the annual meeting thereof,

Which was read the first time.

Mr. Pierce introduced—

House Bill No. 36,

A bill for an act entitled "An act to protect stock raisers and promote the breeding of improved live stock within the State of North Dakota, and to provide a lien for the service of sires, being Chapter 117 of the Laws of 1884."

Which was read the first time.

COMMITTEE OF THE WHOLE.

The hour having arrived for the House to resolve itself into the Committee of the Whole,

Mr. Speaker called Mr. Hall to the chair.

When the committee arose the following report was presented:

MR. SPEAKER:

Your Committee of the Whole have had under consideration the question of reconsidering the vote by which the Concurrent Resolution relating to the Anti-Option Law was passed, and recommend that the resolution be reconsidered and be made a special order for Friday, January 20, at 3 p. m.

RALPH HALL,
Chairman.

Mr. Haugen moved

To adopt the report,

Which motion prevailed, and

The report of the Committee of the Whole was adopted.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

EXECUTIVE OFFICE,
January 9, 1893. }

To the Speaker of the House of Representatives:

GENTLEMEN: I have the honor to inform you that I have this day approved

House Bill No. 1,
Entitled "An act to amend Section 3 of Chapter 120 of the
Laws of 1891, regulating appeals in the Supreme Court."

Very respectfully,

E. C. D. SHORTRIDGE,
Governor.

Mr. Ueland (by unanimous consent) introduced—

House Bill No. 37,

A bill for an act to provide for an executive agent for the
Board of University and School Lands,

Which was read the first time.

The courtesies of the floor were extended to Mr. Geo. E. Bowers,
of Hillsboro, and Mr. W. T. Anderson, of Grand Forks.

Mr. Tufts moved

That the House do now adjourn,

Which motion prevailed,

And the House adjourned.

J. G. HAMILTON,
Chief Clerk.

NINTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 11, 1893.

The House assembled at 2 o'clock p. m. pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All members present except Messrs. Davis, Severson and Towers, who were excused.

REPORTS OF STANDING COMMITTEES.

The Committee on Municipal Corporations submitted the following report:

MR. SPEAKER:

Your Committee on Municipal Corporations, to whom was referred

House Bill No. 22,

A bill for an act entitled "An act exempting volunteer firemen from jury duty and from paying poll tax,

Have had the same under consideration, and respectfully recommend that the same be amended as follows:

Amend Section 3 to read as follows:

SECTION 3. Upon production of due and sufficient proof of faithful service as such volunteer fireman for the period of five years without compensation, it shall be the duty of the mayor of any such city, or the president of any such incorporated town, to issue a certificate to the effect that the person therein named has served as a volunteer fireman for the period of five years, and is entitled to the exemptions contained in this act,

And when so amended the bill do pass.

E. H. LOHNES,
Chairman.

Mr. Wineman moved

That the report be adopted.

The motion prevailed, and

The amendment was adopted.

REPORT OF THE COMMITTEE ON RULES.

The Committee on Rules presented the following report:

MR. SPEAKER:

The Committee on Rules respectfully report as follows:

That rule No. 55 be changed by striking out of the second line the words "one member," and inserting in lieu thereof the words "eleven members."

That with the foregoing correction to rule 55, the rules of the last Legislative Assembly be made the rules of the Third Session of the Legislative Assembly of North Dakota.

H. S. OLIVER,
Chairman.

Mr. Yegen moved
That the report be adopted,
Which motion prevailed, and
The report was adopted.

The committee to examine and correct the Journal made the following report:

MR. SPEAKER:

Your committee appointed to revise and correct the Journal of the eighth day have examined the same and find it correct.

D. C. TUFTS,
Chairman.

Mr. Ebbighausen moved
That the House proceed to elect a Clerk of the Judiciary Committee.

Mr. Southard moved
That the matter be postponed until to-morrow.

Mr. Ebbighausen withdrew his motion.

Mr. Simpson presented the following resolution and moved its adoption:

Resolved, That all the House committee rooms be supplied with one copy each of the Compiled Laws and Laws of 1889, 1890 and 1891, and also with printed copies of all bills coming before said committees,

Which motion prevailed, and
The resolution was adopted.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

SENATE CHAMBER,
Bismarck, January 11, 1893. }

MR. SPEAKER:

I have the honor to inform you that the Senate has appointed the following joint committees:

PUBLIC BUILDINGS—N. B. Pinkham, Chairman, Joseph Miller, A. C. McGillivray, John Haggart, M. L. Engle.

CHARITABLE INSTITUTIONS—E. Young, Chairman, Bailey Fuller, E. P. Day, Frank White, S. M. Brynjolfson.

PENAL INSTITUTIONS—Joseph Miller, Chairman, C. B. Little, J. L. Cashel, John Bidlake.

EDUCATIONAL INSTITUTIONS—J. A. Sorley, Chairman, J. H. Worst, R. N. Ink, Roderick Johnson, E. P. Lamb, Frank Palmer, William Hillier.

STATE LIBRARY—C. E. Gregory, Chairman, H. F. Arnold, Judson LaMoure, C. B. Little, F. M. Kinter.

Respectfully,
FRED FALLEY,
Secretary.

SENATE CHAMBER, }
Bismarck, January 11, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith a Joint Resolution and Memorial of the Senate and House of Representatives of the State of North Dakota to the Senate and House of Representatives of the United States, asking that a part of the abandoned Fort Abraham Lincoln Military Reservation be donated to the State of North Dakota, for the use of the State Reform School,

Which the Senate has passed, and your concurrence therein is respectfully requested.

FRED FALLEY,
Secretary.

INTRODUCTION AND FIRST READING OF BILLS, JOINT RESOLUTIONS
AND MEMORIALS.

Mr. Pierce introduced—

House Bill No. 38,

A bill for an act to amend Sections 253 and 258 of the Code of Civil Procedure of the Revised Code of 1887,

Which was read the first time.

Also,

House Bill No. 39.

A bill for an act defining usury and the penalty for taking the same,

Which was read the first time.

Mr. Haugen introduced—

House Bill No. 40,

A bill for an act to reimburse Lieut. Leon S. Roudiez for room rent,

Which was read the first time.

Mr. Strom introduced—

House Bill No. 41,

A bill for an act to amend Section 7 of Chapter 25 of the

General Laws of 1890, entitled "An act providing for the organization and fixing and defining the powers and duties of the Board of University and School Lands, and making an appropriation therefor,

Which was read the first time.

Mr. Wright introduced—

House Bill No. 42,

A bill for an act to amend Section 2252 of Article 5 of Chapter 22 of the Political Code of the Compiled Laws of 1887, being an act entitled "An act to preserve the waters of the Dakota or James River and its tributaries for domestic and drinking purposes,"

Which was read the first time.

Mr. Oliver introduced—

House Bill No. 43,

A bill for an act to appropriate money to reimburse the Soldiers' Home Board for expenses incurred, including clerk hire,

Which was read the first time.

Mr. Lohnes introduced—

House Bill No. 44,

A bill for an act to amend Sections 3 of Chapter 58 of the Laws of 1887,

Which was read the first time.

SECOND READING OF HOUSE BILLS.

House bill No. 27,

A bill for an act providing for an appropriation for the current and contingent expenses of furnishing, maintaining and for making needed permanent improvements for the Soldiers' Home at Lisbon,

Was read the second time and referred to the Committee on Appropriations.

House Bill No. 28,

A bill for an act to provide for a creditable Educational and Woman's Work Exhibit at the World's Columbian Exposition,

Was read the second time and referred to the Committee on Appropriations.

House Bill No. 29,

A bill for an act to establish the Thirty-second Senatorial and Legislative District,

Was read the second time and referred to the Committee on Apportionment.

House Bill No. 30,

A bill for an act to fix the terms of the District Court in the Third Judicial District,

Was read the second time and referred to the Committee on Judiciary.

House Bill No. 31,

A bill for an act to amend Chapter 81 of the Laws of 1891,

Was read the second time and referred to the Committee on Judiciary.

House Bill No. 32,

A bill for an act to amend Section 5, Chapter 100, of the Session Laws of 1890, providing for the collection of city and school taxes,

Was read the second time and referred to the Committee on Taxation and Laws.

House Bill No. 33,

A bill for an act to amend Section 2578, Compiled Laws of 1887,

Was read the second time and referred to the Committee on Judiciary.

House Bill No. 34,

A bill for an act to encourage the development of the coal mines of the State, and to determine the kind of coal that shall be used in the various State institutions, county buildings and public schools of the State,

Was read the second time and referred to the Committee on Coal Lands and Mining.

House Bill Mo. 35,

A bill for an act to amend Section 15 of Chapter 67 of the Laws of 1887, being Section 3097 of the Compiled Laws of 1887, relating to county mutual insurance companies and changing the time for the annual meeting thereof,

Was read the second time and referred to the Committee on Insurance.

House Bill No. 36,

A bill for an act entitled "An act to protect stock raisers and promote the breeding of improved live stock within the State of North Dakota, and to provide a lien for the service of sires, being Chapter 117 of the Laws of 1884,"

Was read the second time and referred to the Committee on Agriculture.

House Bill No. 37,

A bill for an act to provide for an executive agent for the Board of University and School Lands,

Was read the second time and referred to the Committee on School and Public Lands.

FIRST READING OF SENATE BILLS, JOINT RESOLUTIONS AND MEMORIALS.

Senate Bill No. 5,

Joint Resolution and Memorial of the Senate and House of Rep-

representatives of the State of North Dakota to the Senate and House of Representatives of the United States, asking that a part of the abandoned Fort A. Lincoln Military Reservation be donated to the State of North Dakota for the use of the State Reform School,

Was read the first time.

Mr. Speaker announced an informal recess.

House reassembled.

Mr. Speaker announced the following changes on House Standing Committees:

Substitute Mr. Sanford for Mr. Bullard on Committee on Sheep Husbandry. Substitute Mr. Thompson for Mr. Boynton on Committee on Temperance.

Mr. Oliver asked unanimous consent to correct House Bill No. 27, so as to read \$5,100 instead of \$4,100,

Which consent was granted and the bill was so corrected.

Mr. Ueland introduced the following resolution and moved its adoption:

Resolved, That the Secretary of State be instructed to transmit to the House all the papers referring to the contest of Michaels against Havrevold.

Mr. Oliver moved

That the resolution be laid upon the table,

Which motion was lost.

Mr. Oliver moved

That the further consideration of the resolution be indefinitely postponed.

Roll call demanded.

The roll being called there were yeas 31, nays 23.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	James,	Satterlund,
Bullard,	Johnson, Gr'nd F'rks,	Simpson,
Burkhardt,	Johnston,	Southard,
Churchill,	Larson,	Strom,
Cochrane,	Newman,	Tufts,
Ebbighausen,	O'Keefe,	Veeder,
Hallum,	Oksendahl,	Wallen,
Halvorson,	Oliver,	Wineman,
Haugen,	Pierce,	Wishek,
Horgan,	Ritter.	Yegen.
Hurley,		

Those voting in the negative were:

Messrs—	Messrs—	Messrs—
Caldwell,	Lee,	Rinde,
Deans,	Logan,	Sanford,
Elliott,	Lohnes,	Thexton,
Hagen,	McArthur,	Thompson,
Hodgson,	McCanna,	Ueland,

Messrs—
Holliday,
Johnson, of Sargent,
Kelly,

Messrs—
McCulloch,
McLean,
Plain,

Messrs—
Wright.
Mr. Speaker.

Absent and not voting:

Messrs—
Bentley,
Davis,

Messrs—
Hall,

Messrs—
Levang.

Messrs. Severson and Towers being excused.

Mr. Havrevold being an interested party, not entitled to vote.

So the motion to indefinitely postpone consideration of the resolution prevailed.

Mr. Simpson moved
That the House do now adjourn,
Which motion prevailed, and
The House adjourned.

J. G. HAMILTON,
Chief Clerk.

TENTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 12, 1893.

The House assembled at 2 o'clock p. m., pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All members present except Mr. Davis, excused.

The committee to examine and correct the Journal made the following report:

MR. SPEAKER:

Your committee to revise and correct the Journal of the ninth day have examined the same and find it to be correct.

D. C. TUFTS,
Chairman.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

SENATE CHAMBER, }
January 12, 1892. }

MR. SPEAKER:

I have the honor to inform you that the Senate has adopted the following resolution:

Resolved by the Senate, the House of Representatives concurring: That the report of the Compilation Committee be referred to the Judiciary Committee of the Senate and House of Representatives.

And your concurrence therein is respectfully requested.

FRED FALLEY,
Secretary.

Also,

I have the honor to transmit herewith

Senate Bill No. 12,

A bill for an act to amend Section 2, Chapter 133, Session Laws of 1891, entitled "An act to amend Section 2, Chapter 161, of Ses-

sion Laws of 1890," entitled "An act to create an institute for the education of the deaf and dumb of North Dakota, and providing for its support and management."

Also,

Senate Bill No. 14,

A bill for an act to regulate the appointment and prescribe the qualifications of special deputy sheriffs, constables, marshals, policemen and other peace officers within this Commonwealth, and for the punishment of any person who may exercise or attempt to exercise the functions of any such officer without authority of law.

Also,

Senate Bill No. 4,

A Concurrent Resolution to amend Sections 82, 83 and 84 of Article 3 of the Constitution of the State of North Dakota.

Also,

Senate Bill No. 3,

A bill for an act to regulate the building of railroads and prevent damages to property owners thereby.

Which the Senate has passed and your favorable consideration thereof is respectfully requested.

FRED FALLEY,
Secretary.

The courtesies of the floor were extended to Mr. Mooney of Cavalier, Col. Benton of Cass, Judge Templeton of Grand Forks, Mr. Bigelow of Pierce, Mr. Clark of Morton, Mr. McHugh of Cavalier.

The Speaker submitted the following report of the Compilation Committee:

MR. SPEAKER:

We respectfully submit herewith the report of the committee appointed by the Governor to "compile, classify and arrange" the laws of the State in force July 1, 1892.

J. G. HAMILTON,
P. H. ROURKE,
R. M. POLLOCK,
Committee.

Mr. Oliver moved

That the report of the committee be referred to the Judiciary Committee,

Which motion prevailed, and

The report was so referred.

REPORTS OF STANDING COMMITTEES.

The Judiciary Committee made the following report:

MR. SPEAKER:

Your Judiciary Committee at its session held yesterday unani-

mously decided to recommend to the honor the election of Mr. James V. Brooks as clerk of such committee and the appointment of W. H. Bratten as assistant when his services are needed.

SETH NEWMAN,
Chairman.

Mr. Wineman moved
The adoption of the report,
Which motion prevailed, and
The report was adopted.

Mr. Elliott moved
That the House proceed to elect a clerk of the Judiciary Committee,

Which motion prevailed,
The question being upon the election of Mr. Brooks.

The roll being called there were ayes 61, nays 0; not voting 1,
viz.:

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hurley,	Plain,
Bentley,	James,	Rinde,
Boynton,	Johnson, of Sargent,	Ritter,
Bullard,	Johnson, Gr'd Forks,	Sanford,
Burkhardt,	Johnston,	Satterlund,
Caldwell,	Kelly,	Severson,
Churchill,	Larson,	Simpson,
Cochrane,	Lee,	Southard,
Deans,	Levang,	Strom,
Ebbighausen,	Logan,	Thexton,
Elliott,	Lohnes,	Thompson,
Hagen,	McArthur,	Towers,
Hall,	McCanna,	Tufts,
Hallum,	McCulloch,	Ueland,
Halvorson,	McLean,	Veeder,
Haugen,	Newman,	Wallen,
Havrevold,	O'Keefe,	Wineman,
Hodgson,	Oksendahl,	Wishek,
Holliday,	Oliver,	Wright,
Horgan,	Pierce,	Yegen,
		Mr. Speaker.

Mr. Davis being absent and excused.

Mr. Brooke having received a majority vote of the members elect was declared the duly elected clerk of the Judiciary Committee.

Mr. Bentley moved

That Mr. Bratten be selected as assistant clerk of the Judiciary Committee, to be placed upon the pay-roll when his services are required,

Which motion was withdrawn.

The Committee on Engrossed Bills made the following report:

MR. SPEAKER:

Your Committee on Engrossed Bills have examined
House Bill No. 22,

A bill for an act entitled "An act exempting volunteer firemen
from jury duty and from paying poll tax,"
And find the same correctly engrossed.

J. DEXTER PIERCE,
Chairman.

The Committee on Joint Rules made the following report:

MR. SPEAKER:

Your Committee on Joint Rules recommend that the Joint
Rules and Joint Convention Rules of the Second Legislative As-
sembly be the joint rules and joint convention rules of the Third
Legislative Assembly.

JOHN E. HODGSON,
Chairman.

Mr. Hodgson moved
The adoption of the report,
Which motion prevailed, and
The report was adopted.

MOTIONS AND RESOLUTIONS.

Mr. Caldwell offered the following resolution and moved its
adoption:

WHEREAS, In several instances committees have had clerks assigned them,
which clerks will have little or nothing to do; and

WHEREAS, A proper regard for ourselves and the best interests of the State
require that we be not needlessly extravagant; therefore, be it

Resolved, That when more clerks are needed by this House for any kind
of work, those clerks already on the pay roll having little or nothing to do
be required to perform the service; and that no new clerks be appointed ex-
cept by resolution of this House.

Roll call demanded.

The roll being called there were ayes 27, nays 33.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Boynton,	Holliday,	McCulloch,
Bullard,	Johnson of Sargent,	O'Keefe,
Caldwell,	Johnston,	Rinde,
Deans,	Kelly,	Sanford,
Ebbighausen,	Lee,	Thexton,
Elliott,	Levang,	Thompson.
Hagen,	Logan,	Towers,
Hallum,	Lohnes,	Ueland,
Hodgson,	McArthur,	Wright.

Those voting in the negative were:

Messrs—	Messrs—	Messrs—
Bentley,	Johnson of G'd Forks,	Severson,
Burkhardt,	Larson,	Simpson,

Messrs—	Messrs—	Messrs—
Churchill,	McCanna,	Southard,
Cochrane,	McLean,	Strom,
Hall,	Newman,	Tufts,
Halvorson,	Oksendahl,	Veeder,
Haugen.	Oliver,	Wallen,
Havrevold,	Pierce,	Wineman,
Horgan,	Plain,	Wishek,
Hurley,	Ritter,	Yegen,
James,	Satterlund,	Mr. Speaker.

Messrs. Benedict and Davis being excused.

So the resolution was lost.

Mr. Oliver moved

That the House do now proceed to the consideration of the Governor's message,

Which motion prevailed, and

The House resolved itself into Committee of the Whole.

The Speaker called Mr. Ueland to the chair.

When the committee arose the following report was presented:

MR. SPEAKER:

Your Committee of the Whole have had under consideration the message of the Governor, and recommend that the suggestion of the Governor as to adjournment be acted upon, and that we adjourn as soon as practicable.

That the subject of appropriations for State institutions be referred to the Committee on Appropriations.

That the subject of transportation and needed railroad legislation be referred to the Committee on Railroads.

That the subject of prohibition be referred to the Committee on Temperance.

That the subject of elevators as to handling and grading of grain be referred to the Committee on Warehouses and Grain Grading and Dealing.

That the subject of taxation of elevators be referred to the Committee on Taxation and Tax Laws.

That the Australian election law be referred to the Committee on Elections and Privileges.

L. A. UELAND,
Chairman.

Mr. McCanna moved

To adopt the report,

Which motion prevailed, and

The report of the Committee of the Whole was adopted.

INTRODUCTION AND FIRST READING OF BILLS, JOINT RESOLUTIONS
AND MEMORIALS.

Mr. Newman introduced—
House Bill No. 45,

A bill for an act to define the jurisdiction of the District Court and the powers of the judges thereof, and to regulate the exercise of such powers,

Which was read the first time.

Mr. Hurley introduced—

House Bill No. 46,

A bill for an act to amend Section 1 of Chapter 25 of the Laws of 1887, being Section 5066 of the Compiled Laws,

Which was read the first time.

Mr. Veeder introduced—

House Bill No. 47,

A bill for an act to appoint a Board of Boiler Inspectors and defining their duties with registering of those operating and working on steam boilers,

Which was read the first time.

Mr. Wiskek introduced—

House Bill No. 48,

A bill for an act to amend Section 5 of Chapter 132 of the Laws enacted by the First Legislative Assembly, as amended by Section 1 of Chapter 100 of the Laws enacted by the Second Legislative Assembly, State of North Dakota, exempting personal property from taxation,

Which was read the first time.

Mr. Graham introduced—

House Bill No. 49,

A bill for an act to authorize and regulate within this State the business of commercial agencies, credit companies and guarantee associations,

Which was read the first time.

Mr. Strom introduced—

House Bill No. 50,

Concurrent Resolution, providing that the Legislative Assembly shall have no power to authorize lotteries or gift enterprises for any purpose, and shall pass laws to prohibit the sale of lottery or gift enterprise tickets,

Which was read the first time.

Mr. Wineman introduced—

House Bill No. 51,

A bill for an act providing for the erection of a dormitory building for the State University,

Which was read the first time.

Mr. Southard introduced—

House Bill No. 52,

A bill for an act to amend Chapter 1, Article 1, of the Political Code,

Which was read the first time.

Mr. Walsh introduced—

House Bill No. 53,

A bill for an act to amend Section 6 of Chapter 62 of the Laws of 1890, relating to the University of North Dakota,

Which was read the first time.

Mr. Cochrane introduced—

House Bill No. 54,

A bill for an act to amend Sections 3 and 4 of Chapter 22 of the Political Code of 1887, being Sections 1387 and 1388 of the Compiled Laws,

Which was read the first time.

Mr. Halvorson introduced—

House Bill No. 55,

A bill for an act providing for a State Examiner, defining his duties and fixing his compensation and bond,

Which was read the first time.

Mr. Cochrane introduced—

House Bill No. 56,

A bill for an act to amend Section 1 of Chapter 20 of the Political Code of 1887, being Section 487 of the Compiled Laws,

Which was read the first time.

Mr. Haugen introduced—

House Bill No. 57,

A bill for an act defining the powers and prescribing the duties of the Secretary of State,

Which was read the first time.

Mr. Logan introduced—

House Bill No. 58,

A bill for an act repealing Chapter 40 of the Political Code of 1877, relating to public education; Chapter 14 of the Session Laws of 1879, being an act to establish a public school law for Dakota Territory; Chapter 24 of the Laws of 1881, being an act to empower school districts to issue bonds for building school houses; Chapter 64 of the Laws of 1881, being an act to amend an act entitled "An act to establish a public school law for Dakota Territory," approved February 22, 1879; Chapter 65 of the Laws of 1881, being an act to amend Sections 8 and 29 of an act to establish a public school law for Dakota Territory, approved February 22, 1879; Chapter 66 of the Laws of 1881, being an act to amend Section 17 and Section 18 of Chapter 14 of the Laws of 1879; Chapter 67 of the Laws of 1881, being an act to amend Section 40 of an act to establish a public school law for Dakota Territory; Chapter 68 of the Laws of 1881, being an act to amend Section 40 of an act to establish a public school law for Dakota Territory; Chapter 69 of the Laws of 1881, being an act making provisions for the schooling of children living in any organized district;

Chapter 44 of the Laws of 1883, being an act to establish and provide for the maintenance of a general and uniform system of common schools, and improve their usefulness; Chapter 46 of the Laws of 1883, being an act to create the office of Assistant Superintendent of Public Instruction, and to provide for his salary and proper expenses; Chapter 49 of the Laws of 1885, being an act to amend Chapter 44 of the Session Laws of 1883, entitled "Education;" Chapter 50 of the Laws of 1885, being an act to amend Chapter 45 of the Laws of 1885, empowering school townships to issue their bonds for building and furnishing school houses; Chapter 51 of the Laws of 1885, being an act to amend Section 9 of Chapter 45 of the Laws of Dakota for 1883; Chapter 44 of the Laws of 1887, being an act entitled "An act to require teachers of public schools to keep a record of the visits of county superintendents;" Chapter 45 of the Laws of 1887, being an act to provide for the registration and payment of warrants drawn by the secretary and treasurer of boards of education in this territory and to prescribe the rate of interest thereon; Chapter 46 of the Laws of 1887, being an act to amend Sections 46 and 66 of Chapter 44 of the General Laws of 1883; Chapter 47 of the Laws of 1887, being an act to amend Chapter 44 of the Session Laws of 1883, relating to education,

Which was read the first time.

Mr. Horgan introduced—
House Bill No. 59,

A bill for an act to amend Section 1 of Chapter 22 of the Political Code of 1877, as amended by Section 1 of Chapter 137 of the Laws of 1881, being Section 1386 of the Compiled Laws,

Which was read the first time.

Mr. Walsh introduced—
House Bill No. 60,

A bill for an act defining the powers and prescribing the duties of the Governor of the State,

Which was read the first time.

Mr. Southard introduced—
House Bill No. 61,

A bill for an act to amend Section 3 of the Civil Code of 1877,
Which was read the first time.

Mr. Benedict introduced—
House Bill No. 62,

A bill for an act providing an appropriation for the manufacture of potato starch in the State of North Dakota,

Which was read the first time.

Mr. Wallen introduced—
House Bill No. 63,

A bill for an act amending Section 16 of Chapter 67 of the Session Laws of 1887,

Which was read the first time.

SECOND READING OF HOUSE BILLS.

House Bill No. 38,

A bill for an act to amend Sections 253 and 258 of the Code of Civil Procedure of the Revised Code of 1887,

Was read the second time and referred to the Committee on Judiciary.

House Bill No. 39,

A bill for an act defining usury and the penalty for taking the same,

Was read the second time and referred to the Committee on Judiciary.

House Bill No. 40,

A bill for an act to reimburse Lieut. Leon S. Roudiez for room rent,

Was read the second time and referred to the Committee on Appropriations.

House Bill No. 41,

A bill for an act to amend Section 7 of Chapter 25 of the General Laws of 1890, entitled "An act providing for the organization and fixing and defining the powers and duties of the Board of University and School Lands, and making an appropriation therefor,"

Was read the second time and referred to the Committee on Schools and Public Lands.

House Bill No. 42,

A bill for an act to amend Section 2252 of Article 5 of Chapter 22 of the Political Code of the Compiled Laws of 1887, being an act entitled "An act to preserve the waters of the Dakota or James River and its tributaries for domestic and drinking purposes,"

Was read the second time and referred to the Committee on Public Health.

House Bill No. 43,

A bill for an act to appropriate money to reimburse the Soldiers' Home Board for expenses incurred, including clerk hire,

Was read the second time and referred to the Committee on Appropriations.

House Bill No. 44,

A bill for an act to amend Section 3 of Chapter 58 of the Laws of 1887,

Was read the second time and referred to the Committee on Agriculture.

THIRD READING OF HOUSE BILLS.

House Bill No. 22,

A bill for an act exempting volunteer firemen from jury duty and payment of poll tax,

Was read the third time and placed upon its final passage.

The roll being called there were ayes 44, nays 15.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hurley,	Satterlund,
Bentley,	James,	Severson,
Boynton,	Johnson, of G'd Forks,	Simpson,
Bullard,	Larson,	Strom,
Burkhardt,	Logan,	Thexton,
Churchill,	Lohnes,	Tufts,
Cochrane,	McArthur,	Ueland,
Deans,	McCanna,	Veeder,
Ebbighausen,	McLean,	Wallen,
Elliott,	Newman,	Wineman,
Hall,	Oksendahl,	Wishek,
Haugen,	Oliver,	Wright,
Havrevold,	Pierce,	Yegen,
Holliday,	Ritter,	Mr. Speaker.
Horgan,	Sanford,	

Those voting in the negative were:

Messrs—	Messrs—	Messrs—
Caldwell,	Johnston,	O'Keefe,
Hagen,	Kelly,	Plain,
Hallum,	Lee,	Rinde,
Hodgson,	Levang,	Thompson,
Johnson, of Sargent,	McCulloch,	Towers.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Davis,	Halvorson,	Southard.

Mr. Davis being excused.

So the bill passed and the title was agreed to.

Mr. Wineman moved

That the vote by which the bill passed be reconsidered, and that the motion to reconsider be laid on the table,

Which motion prevailed.

The following Senate Concurrent Resolution was presented:

Resolved by the Senate, the House of Representatives concurring: That the report of the Compilation Committee be referred to the Judiciary Committee of the Senate and House of Representatives.

Mr. Haugen moved

That the House concur in the Senate resolution,

Which motion prevailed, and

The resolution was adopted.

FIRST READING OF SENATE BILLS, JOINT RESOLUTIONS AND MEMORIALS.

Senate Bill No. 3,

A bill for an act to regulate the building of railroads and prevent damages to property owners thereby,

Was read the first time.

Senate Bill No. 4,

A bill to amend Sections 82, 83, and 84 of Article 3 of the Constitution of the State of North Dakota,

Was read the first time.

Senate Bill No. 14,

A bill for an act to regulate the appointment and prescribe the qualifications of special deputy sheriffs, constables, marshals, policemen and other peace officers within the Commonwealth, and for the punishment of any person who may exercise or attempt to exercise the functions of any such officer without authority of law,

Was read the first time.

Senate Bill No. 12,

A bill for an act to amend Section 2, Chapter 133, Session Laws of 1891, entitled "An act to amend Section 2, Chapter 161, of Session Laws of 1890," entitled "An act to create an institute for the education of the deaf and dumb of North Dakota, and providing for its support and management,"

Was read the first time.

Mr. Bentley, by unanimous consent, introduced the following Concurrent Resolution and moved its adoption:

CONCURRENT RESOLUTION.

WHEREAS, Information has been received from the morning journals of the death of General Benjamin F. Butler, of Massachusetts, one of the generals of our late war, whose distinguished services were so intimately connected with the success of the Union cause; therefore, be it

Resolved by the Legislative Assembly of the State of North Dakota, the Senate concurring: That in the death of General Butler this nation has lost one of its most distinguished citizens. A man great in the various walks of civil life, standing in the foremost rank of constitutional lawyers and statesmen, but especially dear to every patriot of this land for his unswerving loyalty to our common country in its days of peril, and for his remarkable career as a general, who accomplished results without unnecessarily sacrificing his men.

Resolved, further, That as a mark of respect to his eminent services, both in war and peace, and in sympathy with his family and friends because of his death, the flag of our country be placed over the Capitol Building of the State at half mast upon the day of his funeral.

Which motion prevailed, and
The resolution was adopted.

Mr. Johnson, of Grand Forks, moved
That the House do now adjourn,
Which motion prevailed, and
The House adjourned.

J. G. HAMILTON,
Chief Clerk.

ELEVENTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 13, 1893.

The House assembled at 2 o'clock p. m., pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All members present except Mr. Elliott, who was excused.

The committee to examine and correct the Journal of the tenth day made the following report:

MR. SPEAKER:

Your committee to revise and correct the Journal of the tenth day have examined the same and recommend the following correction on page 1: Strike out "eighth day" and insert "ninth day," and with this correction recommend that the Journal be approved.

D. C. TUFTS,
Chairman.

REPORTS OF STANDING COMMITTEES.

The Judiciary Committee made the following report:

MR. SPEAKER:

Your Judiciary Committees to whom was referred
House Bill No. 9,

A bill for an act regulating the liability of railroad companies or corporations for damages caused by fire escaping from their cars or engines, and the rules of evidence relating thereto,

Have had the same under consideration and recommend that the same be referred to the Committee on Railroads.

Mr. Ueland moved

That the report be adopted,

Which motion prevailed, and

The matter was referred to the Committee on Railroads.

Also,

House Bill No. 15,

A bill for an act amending Sections 6490 and 7429 and Sub-division 2 of Section 6772 of the Compiled Laws of 1887, relating to the Penal Code,

Have had the same under consideration, and recommend that the same do pass.

Also,

A majority of your Judiciary Committee, to whom was referred House Bill No. 33,

A bill for an act to amend Section 2578, Compiled Laws of 1887, relating to divorce,

Have had the same under consideration and recommend that the same do pass.

A minority of the Judiciary Committee beg leave to submit the following minority report:

MR. SPEAKER:

We have had under consideration

House Bill No. 33,

A bill for an act to amend section 2578 of the Compiled Laws of 1887, and recommend that the same do not pass.

SETH NEWMAN,
H. C. SOUTHARD,
H. S. OLIVER,
J. DEXTER PIERCE,
W. F. COCHRANE,
J. H. WISHEK,
L. A. SIMPSON,

Minority.

The Judiciary Committee made the following report:

MR. SPEAKER:

Your Judiciary Committee, to whom was referred

House Bill No. 16,

A bill for an act to fix the terms of the district court in the Third Judicial District,

Have had the same under consideration and recommend that the same be indefinitely postponed.

SETH NEWMAN,
Chairman.

Mr. Oliver moved

To adopt the report,

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

MOTIONS AND RESOLUTIONS.

Mr. Yegen offered the following resolution and moved its adoption:

Resolved by the House of Representatives, the Senate concurring: That a Joint Committee of five, consisting of three members from the House and two from the Senate, be appointed as a committee on prairie fires and fire brakes.

Mr. Yegen moved
To adopt the resolution,
Which motion prevailed, and
The resolution was adopted.

Mr. Ueland offered the following resolution:

Resolved, That the Secretary of State be requested to report to this House if any notice of contest has been filed in his office against any member now seated in the House of Representatives of the Third Legislative Assembly, and at what day and hour said contest was filed in his office.

Mr. Yegen moved
To adopt the resolution,
Which motion prevailed, and
The resolution was adopted.

Mr. Oliver moved
That House Bill No. 39 be recalled from the Judiciary Committee and be referred to the Committee on Banks and Banking,
Which motion prevailed.

Mr. Hurley offered the following resolution and moved its adoption:

Resolved, That the State Auditor be instructed to furnish to the Committee on Appropriations a statement showing the probable available resources of the State for the succeeding two years; also an estimated cost of maintaining the State government for said period, and that the Secretary of State furnish said committee the last annual reports of all State officials, together with reports of all public institutions of this State.

Which motion prevailed, and
The resolution was adopted.

INTRODUCTION AND FIRST READING OF HOUSE BILLS, JOINT RESOLUTIONS AND MEMORIALS.

Mr. Bullard introduced—

House Bill No. 64,
A bill for an act to amend chapter 128 of the Laws of 1889,
Which was read the first time.

Also,

House Bill No. 65,
A bill for an act to amend chapter 48 of the Laws of 1891, amending section 103 of chapter 28, Political Code, as amended by chapter 131 of the Laws of 1890,
Which was read the first time.

Also,
House Bill No. 66,
A bill for an act to amend sections 49 and 53 of chapter 132 of the Laws of 1890,
Which was read the first time.

Also,
House Bill No. 67,
A bill for an act to amend section 66 and repeal section 67 of chapter 132 of the Laws of 1890,
Which was read the first time.

Also,
House Bill No. 68,
A bill for an act to amend section 74 of chapter 132 of the Laws of 1890,
Which was read the first time.

Also,
House Bill No. 69,
A bill for an act to amend section 69 of chapter 132 of the Laws of 1890,
Which was read the first time.

Mr. Ritter introduced—
House Bill No. 70,
A bill for an act to amend sections 478, 479, 484 and 485 of the Code of Civil Procedure of Dakota Territory, being sections 5292, 5293, 5298 and 5299 of the Compiled Laws, pertaining to taking, authenticating and excepting to depositions,
Which was read the first time.

Mr. Deans introduced—
House Bill No. 71,
A bill for an act to provide for the preservation of official bonds of township and school officers and facilitate the safe transmission of funds of civil townships and school districts from the county treasury,
Which was read the first time.

Mr. Newman introduced—
House Bill No. 72,
A bill for an act to amend subdivision 5 of section 24 of chapter 120 of the Laws of 1891, regulating appeals for the district court to the Supreme Court,
Which was read the first time.

Also,
House Bill No. 73,
A bill for an act for the prevention and suppression of infectious and contagious diseases, and to preserve the public health,
Which was read the first time.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Bismarck, January 13, 1893. }

MR. SPEAKER:

I have the honor to inform you that the Senate has passed a resolution requesting the return for correction of Senate Bill No. 14,

A bill for an act to regulate the appointment and prescribe the qualifications of special deputy sheriffs, constables, marshals, policemen and other peace officers within this Commonwealth, and for the punishment of any person who may exercise or attempt to exercise the functions of any such officer without authority of law.

Also,

To inform you that the Senate has concurred in the House resolution in reference to the death of General Benjamin F. Butler.

Mr. Ueland moved to accede to the request of the Senate, Which motion prevailed.

Respectfully,
FRED FALLEY,
Secretary.

SECOND READING OF HOUSE BILLS.

House Bill No. 45,

A bill for an act to define the jurisdiction of the District Court and the powers of the judges thereof, and to regulate the exercise of such powers,

Was read the second time and referred to the Judiciary Committee.

House Bill No. 46,

A bill for an act to amend Section 1 of Chapter 25 of the Laws of 1887, being Section 5066 of the Compiled Laws,

Was read the second time and referred to the Judiciary Committee.

House Bill No. 47,

A bill for an act to appoint a Board of Boiler Inspectors and defining their duties with registering of those operating and working on steam boilers,

Was read the second time and referred to the Committee on State Affairs.

House Bill No. 48,

A bill for an act to amend Section 5 of Chapter 132 of the Laws enacted by the First Legislative Assembly, as amended by Section 1 of Chapter 100 of the Laws enacted by the Second Legislative Assembly, State of North Dakota, exempting personal property from taxation,

Was read the second time and referred to the Judiciary Committee.

House Bill No. 49,

A bill for an act to authorize and regulate within this State the business of commercial agencies, credit companies and guarantee associations,

Was read the second time and referred to the Committee on State Affairs.

House Bill No. 51,

A bill for an act providing for the erection of a dormitory building for the State University,

Was read the second time and referred to the Committee on Appropriations.

House Bill No. 52,

A bill for an act to amend Chapter 1, Article 1, of the Political Code,

Was read the second time and referred to the Judiciary Committee.

House Bill No. 53,

A bill for an act to amend Section 6 of Chapter 62 of the Laws of 1890, relating to the University of North Dakota,

Was read the second time and referred to the Judiciary Committee.

House Bill No. 54,

A bill for an act to amend Sections 3 and 4 of Chapter 22 of the Political Code of 1887, being Sections 1387 and 1388 of the Compiled Laws,

Was read the second time and referred to the Judiciary Committee.

House Bill No. 55,

A bill for an act providing for a State Examiner, defining his duties and fixing his compensation and bond,

Was read the second time and referred to the Judiciary Committee.

House Bill No. 56,

A bill for an act to amend Section 1 of Chapter 20 of the Political Code of 1887, being Section 487 of the Compiled Laws,

Was read the second time and referred to the Judiciary Committee.

House Bill No. 58,

A bill for an act repealing Chapter 40 of the Political Code of 1877, relating to public education; Chapter 14 of the Session Laws of 1879, being an act to establish a public school law for Dakota Territory; Chapter 24 of the Laws of 1881, being an act to empower school districts to issue bonds for building school houses; Chapter 64 of the Laws of 1881, being an act to amend an act entitled "An act to establish a public school law for Dakota Territory," approved February 22, 1879; Chapter 65 of the Laws of

1881, being an act to amend Sections 8 and 29 of an act to establish a public school law for Dakota Territory, approved February 22, 1879; Chapter 66 of the Laws of 1881, being an act to amend Section 17 and Section 18 of Chapter 14 of the Laws of 1879; Chapter 67 of the Laws of 1881, being an act to amend Section 40 of an act to establish a public school law for Dakota Territory; Chapter 68 of the Laws of 1881, being an act to amend Section 40 of an act to establish a public school law for Dakota Territory; Chapter 69 of the Laws of 1881, being an act making provisions for the schooling of children living in any organized district; Chapter 44 of the Laws of 1883, being an act to establish and provide for the maintenance of a general and uniform system of common schools, and improve their usefulness; Chapter 46 of the Laws of 1883, being an act to create the office of Assistant Superintendent of Public Instruction, and to provide for his salary and proper expenses; Chapter 49 of the Laws of 1885, being an act to amend Chapter 44 of the Session Laws of 1883, entitled "Education;" Chapter 50 of the Laws of 1885, being an act to amend Chapter 45 of the Laws of 1885, empowering school townships to issue their bonds for building and furnishing school houses; Chapter 51 of the Laws of 1885, being an act to amend Section 9 of Chapter 45 of the Laws of Dakota for 1883; Chapter 44 of the Laws of 1887, being an act entitled "An act to require teachers of public schools to keep a record of the visits of county superintendents;" Chapter 45 of the Laws of 1887, being an act to provide for the registration and payment of warrants drawn by the secretary and treasurer of boards of education in this territory and to prescribe the rate of interest thereon; Chapter 46 of the Laws of 1887, being an act to amend Sections 46 and 66 of Chapter 44 of the General Laws of 1883; Chapter 47 of the Laws of 1887, being an act to amend Chapter 44 of the Session Laws of 1883, relating to education,

Was read the second time and referred to the Committee on Education.

House Bill No. 59,

A bill for an act to amend Section 1 of Chapter 22 of the Political Code of 1877, as amended by Section 1 of Chapter 137 of the Laws of 1881, being Section 1386 of the Compiled Laws,

Was read the second time and referred to the Committee on State Affairs.

House Bill No. 60,

A bill for an act defining the powers and prescribing the duties of the Governor of the State,

Was read the second time and referred to the Judiciary Committee.

House Bill No. 61,

A bill for an act to amend Section 3 of the Civil Code of 1877

Was read the second time and referred to the Judiciary Committee.

House Bill No. 62,

A bill for an act providing an appropriation for the manufacture of potato starch in the State of North Dakota,

Was read the second time and referred to the Committee on Appropriations.

House Bill No. 63,

A bill for an act amending Section 16 of Chapter 67 of the Session Laws of 1887,

Was read the second time and referred to the Committee on Insurance.

SECOND READING OF SENATE BILLS, JOINT RESOLUTIONS AND MEMORIALS.

Senate Bill No. 3,

A bill for an act to regulate the building of railroads and prevent damages to property owners thereby,

Was read the second time and referred to the Judiciary Committee.

Senate Bill No. 12,

A bill for an act to amend Section 2, Chapter 133, Session Laws of 1891, entitled "An act to amend Section 2, Chapter 161, of Session Laws of 1890," entitled "An act to create an institute for the education of the deaf and dumb of North Dakota, and providing for its support and management,"

Was read the second time and referred to the Judiciary Committee.

The following Concurrent Resolution and Memorial referring to Fort Abraham Lincoln was read:

CONCURRENT RESOLUTION AND MEMORIAL

Of the Senate and House of Representatives of the State of North Dakota to the Senate and House of Representatives of the United States, asking that a part of the abandoned Fort Abraham Lincoln Military Reservation and the buildings and material thereon be donated to the State of North Dakota for the benefit and use of a State Reform School.

Be it Resolved by the Legislative Assembly of the State of North Dakota: That the Honorable the Congress of the United States be requested to grant to the State of North Dakota, for the use of the Reform School, a part of that public domain known as the abandoned Fort Abraham Lincoln Military Reservation, and more particularly described as follows:

All that part of the abandoned Fort Abraham Lincoln Military Reservation which lies north of the south line of sections eleven (11) and twelve (12), in township one hundred and thirty-eight (138), north of range eighty-one (81), west of the fifth principal meridian in North Dakota; and also all the buildings and material now situated on said Fort Abraham Lincoln Military Reservation, to be used by the State of North Dakota for the purpose of erecting a Reform School.

Resolved, That the Secretary of State is hereby requested to forward

copies of this resolution to each of our Senators and Representative in Congress at as early a day as expedient.

Mr. Wineman moved

That the House concur in the resolution,
Which motion prevailed, and
The resolution was concurred in.

House Concurrent Resolution, a proposed amendment to the Constitution, prohibiting lotteries was read.

Mr. Strom moved

That it be returned to the Secretary of State to attach a certificate as to its legal publication,
Which motion prevailed.

Senate Concurrent Resolution, proposing amendments to the Constitution, was read.

Mr. Oliver moved

That the resolution be referred to the Judiciary Committee,
Which motion prevailed.

The Speaker announced an informal recess.

House reassembled.

Mr. Wineman moved

That the House do now adjourn,
Which motion prevailed, and
The House adjourned.

J. G. HAMILTON,
Chief Clerk.

TWELFTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 14, 1893.

The House assembled at 2 o'clock p. m. pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All members present except Messrs. Lee, Thompson, Towers and Tufts, who were excused.

The committee to examine and correct the Journal made the following report:

MR. SPEAKER:

Your committee to revise and correct the Journal of the eleventh day have examined the same and recommend that the following corrections be made: On page 1 strike out the words "the Judiciary Committee made the following majority report," and insert the words, "The Judiciary Committee made the following report." Strike out the names J. Dexter Pierce, W. F. Cochrane, J. H. Wishek and L. A. Simpson as signing the majority report and insert their names as signing the minority report. Also, on page 5, after message from the Senate, insert "Mr. Ueland moved that the House accede to the request of the Senate."

With these corrections we recommend the approval of the Journal.

There being no objection, the report was adopted and the Journal approved.

Respectfully,
A. J. JOHNSON,
JOHN LOGAN,
Committee.

PRESENTATIONS OF PETITIONS AND COMMUNICATIONS.

The following communication from the Secretary of State was presented and was referred to the Committee on Elections and Privileges:

BISMARCK, January 13, 1893.

Honorable House of Representatives, Geo. H. Walsh, Speaker:

I have the honor to inform your honorable body that on January 3, 1893, at noon, there was filed in this office a legislative contest, entitled James Michels vs. Lars P. Havrevold.

Very respectfully, your obedient servant,

C. M. DAHL,
Secretary of State.

REPORTS OF STANDING COMMITTEES.

The Judiciary Committee made the following report:

MR. SPEAKER:

Your Judiciary Committee, to whom was referred
House Bill No. 13,

A bill for an act prescribing the qualifications of deputies, clerks and employes of the State, county and municipal governments of and within the State of North Dakota,

Have had the same under consideration and recommend that the same be amended by inserting after the word "shall," in line 6 of section one (1) of the printed bill, the word "not,"

And when so amended recommend that the same do pass.

SETH NEWMAN,
Chairman.

Mr. Oliver moved
The adoption of the report,
Which motion prevailed.

The Judiciary Committee made the following report:

MR. SPEAKER:

Your Judiciary Committee, to whom was referred
House Bill No. 31,

A bill for an act to amend chapter 81 of the Laws of 1891,

Have had the same under consideration and recommend that the title be amended to read as follows:

"An act to amend chapter 81 of the Laws of 1891, entitled "An act to amend section 1 of chapter 82 of the General Laws of 1887," the same being section 6153 of the Compiled Laws of 1887.

And when so amended recommend that the same do pass.

SETH NEWMAN,
Chairman.

Mr. Wineman moved
The adoption of the report,
Which motion prevailed.

The Judiciary Committee made the following report:

MR. SPEAKER:

Your Judiciary Committee, to whom was referred
House Bill No. 45,

A bill for an act to define the jurisdiction of the district court and the powers of the judges thereof and to regulate the exercise of such powers,

Have had the same under consideration and recommend that the same do pass.

SETH NEWMAN,
Chairman.

The Judiciary Committee made the following report:

MR. SPEAKER:

Your Judiciary Committee, to whom was referred
House Bill No. 48,

A bill for an act amending section 5 of chapter 132 of the Laws enacted by the first Legislative Assembly, etc.,

Have had the same under consideration and recommend that the same be referred to the Committee on Taxation and Tax Laws.

SETH NEWMAN,
Chairman.

The Judiciary Committee made the following report:

MR. SPEAKER:

Your Judiciary Committee, to whom was referred
House Bill No. 52,

A bill for an act to amend chapter 1 of article 1 of the Political Code,

Have had the same under consideration and recommend that the same be referred to the Subjoint Committee on Judiciary,

SETH NEWMAN,
Chairman.

The Judiciary Committee, made the following report:

MR. SPEAKER:

Your Judiciary Committee, to whom was referred
House Bill No. 53,

A bill for an act to amend section 6 of chapter 62 of the Laws of 1890, relating to the University of North Dakota,

Have had the same under consideration, and recommend that the same be referred to the Committee on Education.

SETH NEWMAN,
Chairman.

There being no objection, the bill was referred to the Committee on Education.

The Judiciary Committee made the following report:

MR. SPEAKER:

Your Judiciary Committee, to whom was referred
House Bill No. 54,

A bill for an act to amend sections 3 and 4 of chapter 22 of the Political Code of 1887, being sections 1387 and 1388 of Compiled Laws,

Have had the same under consideration, and recommend that the same be referred to the Subjoint Committee on Judiciary.

SETH NEWMAN,
Chairman.

The Judiciary Committee made the following report:

MR. SPEAKER:

Your Judiciary Committee, to whom was referred
House Bill No. 56,

A bill for an act to amend section 1 of chapter 20 of the Political Code of 1887, being section 487 of Compiled Laws,

Have had the same under consideration, and recommend that the same be referred to the Subjoint Committee on Judiciary.

SETH NEWMAN,
Chairman.

The Judiciary Committee made the following report:

MR. SPEAKER:

Your Judiciary Committee, to whom was referred
House Bill No. 61,

A bill for an act to amend section 3 of the Civil Code of 1877,

Have had the same under consideration, and recommend that the same be referred to the Subjoint Committee on Judiciary,

SETH NEWMAN,
Chairman.

Mr. Newman moved

That all bills reported from the Judiciary Committee and referred to the Subjoint Judiciary Committee, be recommitted to the Judiciary Committee,

Which motion prevailed.

The Committee on Engrossed Bills made the following report:

MR. SPEAKER:

Your Committee on Engrossed Bills have examined
House Bill No. 15,

A bill for an act amending sections 6490, 7429 and subdivision 2 of section 6772 of the Compiled Laws of 1887, relating to the Penal Code,

And find the same correctly engrossed.

J. DEXTER PIERCE,
Chairman.

The Committee on Agriculture made the following report:

MR. SPEAKER:

Your Committee on Agriculture, to whom was referred
House Bill No. 36,

A bill for an act entitled "An act to protect stock raisers and promote the breeding of improved live stock within the State of North Dakota, and to provide a lien for the service of sires, being chapter 117 of the Laws of 1891,"

Have had the same under consideration and recommend that the same do pass.

O. S. WALLLEN,
Chairman.

MOTIONS AND RESOLUTIONS.

Mr. Simpson offered the following Concurrent Resolution and moved its adoption:

WHEREAS, The World's Columbian Exposition, for the celebration of the four hundredth anniversary of the discovery of America by Columbus, is to be held in the city of Chicago, Illinois, between the months of April and November in this year; and,

WHEREAS, The Congress of the United States and the legislatures of the several states have made liberal appropriations for the purpose of making a creditable exhibit of the resources of the country and showing its advancement and progress; and,

WHEREAS, A large number of the people of our country, and especially the working people, who are unable to attend on other days, will be deprived of all benefits to be derived from a personal visit to and inspection of the various exhibits, unless the said exposition be opened to the public on Sunday; now, therefore,

Be it resolved by the House of Representatives of the State of North Dakota, the Senate Concurring: That the Legislative Assembly of the State of North Dakota is in favor of the opening of said exposition on Sunday, and recommends that our members in Congress so vote when the matter comes before them for action thereon.

Roll call demanded.

The roll being called there were ayes 42, nays 13.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	James,	Pierce,
Bentley,	Johnson of Sargent,	Plain,
Bullard,	Johnson of G'd Forks,	Rinde,
Burkhardt,	Johnston,	Sanford,
Churchill,	Kelly,	Satterlund,
Cochrane,	Larson,	Simpson,
Deans,	Levang,	Southard,
Ebbighausen,	McArthur,	Veeder,
Hall,	McCanna,	Wallen,
Halvorson,	McLean,	Wineman,
Havrevold,	Newman,	Wishek,
Hodgson,	O'Keefe,	Wright,
Horgan,	Oksendahl,	Yegen,
Hurley,	Oliver,	Mr. Speaker.

Those voting in the negative were:

Messrs—	Messrs—	Messrs—
Caldwell,	Logan,	Severson,
Elliott,	Lohnes,	Strom,
Hagen,	McCulloch,	Thexton,
Haugen,	Ritter,	Ueland.
Holliday,		

Messrs. Boynton and Davis being absent and not voting.

Messrs. Lee, Thompson, Towers and Tufts being excused.

So the resolution was adopted.

INTRODUCTION AND FIRST READING OF HOUSE BILLS, JOINT RESOLUTIONS AND MEMORIALS.

Mr. McCanna introduced—

House Bill No. 74,

A bill for an act to require all railways in this State to run a train for freight and passenger traffic over their roads and all lines and branches thereof during each week day of the year,

Which was read the first time.

Also,

House Bill No. 75,

A bill for an act to amend section 1 of chapter 27 of the General Laws of 1890, entitled "An act to establish a board of inspectors for steam vessels and steam boilers, and to provide for licensing engineers of steam engines,"

Which was read the first time.

Mr. Wineman introduced—

House Bill No. 76,

A bill for an act allowing persons convicted of crime to testify in civil or criminal action,

Which was read the first time.

Also,

House Bill No. 77,

A bill for an act admitting books as evidence,

Which was read the first time.

Mr. Satterlund introduced—

House Bill No. 78,

A bill for an act to enable county commissioners to present the listing, assessment, advertisement and selling at tax sale of lots according to their subdivisional description in certain cases,

Which was read the first time.

Mr. Oliver introduced—

House Bill No. 79,

A bill for an act to amend section 1 of chapter 82 of the Laws of 1881, being an act entitled "An act to provide for the compilation, publication, distribution and sale of the Laws of the State of North Dakota,

Which was read the first time.

Also,

House Bill No. 80,

A bill for an act defining the powers and duties of the State Auditor,

Which was read the first time.

SECOND READING OF HOUSE BILLS, JOINT RESOLUTIONS AND MEMORIALS.

House Bill No. 55,

A bill for an act providing for a State Examiner, defining his duties and fixing his compensation and bond,

Was read the second time and referred to the Committee on Ways and Means.

House Bill No. 57,

A bill for an act defining the powers and prescribing the duties of the Secretary of State,

Was read the second time and referred to the Committee on Ways and Means.

House Bill No. 60,

A bill for an act defining the powers and prescribing the duties of the Governor of the State,

Was read the second time and referred to the Committee on Ways and Means.

House Bill No. 64,

A bill for an act to amend chapter 128 of the Laws of 1889,

Was read the second time and referred to the Committee on Taxation and Tax Laws.

House Bill No. 65,

A bill for an act to amend chapter 48 of the Laws of 1891, amending section 103 of chapter 28, Political Code, as amended by chapter 131 of the Laws of 1890,

Was read the second time and referred to the Committee on Taxation and Tax Laws.

House Bill No. 66,

A bill for an act to amend sections 49 and 53 of chapter 132 of the Laws of 1890,

Was read the second time and referred to the Committee on Taxation and Tax Laws.

House Bill No. 67,

A bill for an act to amend section 66 and repeal section 67 of chapter 132 of the Laws of 1890,

Was read the second time and referred to the Committee on Taxation and Tax Laws.

House Bill No. 68,

A bill for an act to amend section 74 of chapter 132 of the Laws of 1890,

Was read the second time and referred to the Committee on Taxation and Tax Laws.

House Bill No. 69,

A bill for an act to amend section 69 of chapter 132 of the Laws of 1890,



Was read the second time and referred to the Committee on Taxation and Tax Laws.

House Bill No. 70,

A bill for an act to amend sections 478, 479, 484 and 485 of the Code of Civil Procedure of Dakota Territory, being sections 5292, 5293, 5298 and 5299 of the Compiled Laws, pertaining to taking, authenticating and excepting to depositions,

Was read the second time and referred to the Judiciary Committee.

House Bill No. 71,

A bill for an act to provide for the preservation of official bonds of township and school officers and facilitate the safe transmission of funds of civil townships and school districts from the county treasury,

Was read the second time and referred to the Committee on Corporations Other Than Municipal.

House Bill No. 72,

A bill for an act to amend subdivision 5 of section 24 of chapter 120 of the Laws of 1891, regulating appeals for the district court to the Supreme court,

Was read the second time and referred to the Judiciary Committee.

THIRD READING OF HOUSE BILLS.

House Bill No. 15,

A bill for an act amending Sections 6490 and 7429 and Subdivision 2 of Section 6772 of the Compiled Laws of 1887, relating to the Penal Code,

Was read the third time and placed upon its final passage.

The roll being called there were ayes 46, nays 4.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hurley,	Plain,
Bentley,	James,	Rinde,
Boynton,	Johnson, of Sargent,	Ritter,
Bullard,	Johnson, Gr'd Forks,	Satterlund,
Burkhardt,	Johnston,	Severson,
Churchill,	Kelly,	Southard,
Cochrane,	Larson,	Strom,
Davis,	Levang,	Thexton,
Deans,	Logan,	Ueland,
Elliott,	Lohnes,	Wallen,
Hagen,	McCanna,	Wineman,
Hall,	McCulloch,	Wishek,
Hallum,	McLean.	Wright.
Haugen,	O'Keefe,	Yegen,
Hodgson,	Pierce,	Mr. Speaker.
Horgan,		

Those voting in the negative were:

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Messrs— Caldwell, Veeder,	Messrs— McArthur,	Messrs— Sanford,
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Absent and not voting:

Messrs— Ebbighausen, Halvorson, Havrevold, Holliday,	Messrs— Lée, Newman, Oksendahl, Oliver,	Messrs— Simpson, Thompson, Towers, Tufts,
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Messrs. Lee, Thompson, Towers and Tufts being excused.

So the bill passed and the title was agreed to.

Mr. Haugen moved

The reconsideration of the vote by which House Bill No. 15 was passed, and that the motion to reconsider be laid on the table, Which motion prevailed.

CONSIDERATION OF GENERAL ORDERS.

Mr. Haugen moved

That the House resolve itself into the Committee of the Whole to consider

House Bill No. 33,

A bill for an act to amend section 2578, Compiled Laws of 1887,

Which motion prevailed.

Mr. Speaker called Mr. Haugen to the chair.

When the committee arose the following report was presented:

MR. SPEAKER:

Your Committee of the Whole have had under consideration House Bill No. 33,

A bill for an act amending section 2588 of the Compiled Laws of 1887, relating to divorce,

Together with the majority and minority reports of the Judiciary Committee relating thereto, and recommend that the bill be amended by adding the words "Provided that this act shall not apply to any action now pending," and when so amended that the bill do pass.

ARNE P. HAUGEN,
Chairman.

Mr. Strom moved

The adoption of the report of the Committee of the Whole.

Mr. Simpson moved

To amend the report of the Committee of the Whole by striking out "twelve months" and inserting "six months."

Mr. McCanna moved

That the amendment be laid on the table,
Which motion prevailed.

Mr. Simpson rose to a point of order,
That laying the amendment on the table carried the original motion with it.

Mr. Speaker announced an informal recess.

The House reassembled.

Mr. Simpson raised the point of order that to lay the amendment to strike out "twelve months" and insert "six months" on the table carried with it to the table the whole matter, including House Bill No. 33.

Mr. Speaker decided that the motion simply laid upon the table the report of the Committee of the Whole on the subject under consideration.

Mr. McCanna moved

To take the report of the Committee of the Whole from the table.

Mr. Oliver rose to a point of order that the motion was out of order, as we were under general orders.

Mr. Speaker decided the point well taken, and declared the motion out of order.

Mr. Hodgson moved

To reconsider the vote by which the amendment offered by Mr. Simpson was laid upon the table.

Mr. Speaker declared the motion out of order.

Mr. Oliver moved

That the House do now adjourn,
Which motion was lost.

Mr. Strom moved

That the House refer back to the order of motions and resolutions.

Roll call demanded.

The roll being called there were ayes 35, nays 22.

Those voting in the affirmative were:

Messrs—

Benedict,
Boynton,
Bullard,
Caldwell,
Churchill,
Davis,
Ebbighausen,
Elliott,
Hagen,
Hallum,
Halvorson,
Haugen,

Messrs—

Hodgson,
Holliday,
Hurley,
James,
Johnson, of Sargent,
Johnson, of G'd Forks,
Kelly,
Levang,
Logan,
Lohnes,
McArthur,
McCanna,

Messrs—

McCulloch,
Newman,
O'Keefe,
Rinde,
Ritter,
Severson,
Strom,
Ueland,
Wallen,
Wineman,
Wright.

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Bentley,	Larson,	Simpson,
Burkhardt,	McLean,	Southard,
Cochrane,	Oksendahl,	Thexton,
Deans,	Oliver,	Veeder,
Hall,	Pierce,	Wishek,
Havrevold,	Plain,	Yegen,
Horgan,	Satterlund,	Mr. Speaker.
Johnston,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Lee,	Thompson,	Tufts.
Sanford,	Towers,	

Messrs. Lee, Thompson, Towers and Tufts being excused.

So the motion to refer back to the order of motions and resolutions prevailed.

Mr. Oliver moved

That the House do now adjourn.

Roll call demanded.

The roll being called there were ayes 28, nays 28.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Bentley,	James,	Pierce,
Burkhardt,	Johnson, Gr'nd F'rks,	Ritter,
Churchill,	Johnston,	Satterlund,
Cochrane,	Larson,	Simpson,
Deans,	McLean,	Southard,
Ebbighausen,	Newman,	Thexton,
Hall,	O'Keefe,	Veeder,
Halvorson,	Oksendahl,	Wishek,
Havrevold,	Oliver,	Yegen.
Horgan,		

Those voting in the negative were:

Messrs—	Messrs—	Messrs—
Boynton,	Hurley,	Plain,
Bullard,	Johnson, of Sargent,	Rinde,
Caldwell,	Kelly,	Severson,
Davis,	Levang.	Strom,
Elliott,	Logan,	Ueland,
Hagen,	Lohnes,	Wallen,
Hallum,	McArthur,	Wineman,
Haugen,	McCanna,	Wright,
Hodgson,	McCulloch,	Mr. Speaker.
Holliday,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Benedict,	Lee,	Towers,
Sanford,	Thompson,	Tufts.

Messrs. Lee, Thompson, Towers and Tufts being excused.

So the motion was lost.

Mr. Strom moved

To take the report of the Committee of the Whole from the table.

Mr. Oliver moved
As a substitute that
House Bill No. 33

Be made a special order for Monday, January 16, at 3 o'clock p. m.

The question being upon the substitute motion of Mr. Oliver.

Roll call demanded.

The roll being called there were ayes 27, nays 30.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Bentley,	Johnson, Gr'nd F'rks,	Ritter,
Burkhardt,	Johnston,	Satterlund,
Churchill,	Larson,	Simpson,
Cochrane,	McLean,	Southard,
Deans,	Newman,	Veeder,
Elliott,	O'Keefe,	Wishek,
Hall,	Oksendahl,	Wright,
Halvorson,	Oliver,	Yegen,
Havrevold,	Pierce,	Mr. Speaker.

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Boynton,	Horgan,	McCulloch,
Bullard,	Hurley,	Plain,
Caldwell,	James,	Rinde,
Davis,	Johnson of Sargent,	Sanford,
Ebbighausen,	Kelly,	Severson,
Hagen,	Levang,	Strom,
Hallum,	Logan,	Thexton,
Haugen,	Lohnes,	Ueland,
Hodgson,	McArthur,	Wallen,
Holliday,	McCanna,	Wineman.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Benedict,	Towers,	Tufts.
Thompson,		

Messrs. Lee, Thompson, Towers and Tufts being excused.

So the substitute motion was lost.

Mr. Oksendahl moved
That the House do now adjourn,
Which motion prevailed, and
The House adjourned.

J. G. HAMILTON,
Chief Clerk.

FOURTEENTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 16, 1893.

House assembled at 2 o'clock p. m., pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All members present except Messrs. Ebbighausen, Lee, Ritter, Southard and Thompson, who were excused.

The committee to examine and correct the Journal made the following report:

MR. SPEAKER:

Your committee to revise and correct the Journal of the twelfth day have examined the same and recommend the following correction be made:

On page 8 add "Simpson as voting in the affirmative," and on page 9 strike out "Simpson absent and not voting."

After the report of the committee to correct the Journal on the first page insert "There being no objections, the report was adopted and the Journal approved," and with this correction recommend the approval of the Journal.

JOHN LOGAN,
L. A. UELAND,
Committee.

There being no objection, the report was adopted and the Journal approved.

REPORTS OF STANDING COMMITTEES.

The Committee on Engrossed Bills made the following report:

MR. SPEAKER:

Your Committee on Engrossed Bills have examined House Bill No. 13,

A bill for an act prescribing the qualifications of deputies, clerks and employes of the State, county and municipal governments of and within the State of North Dakota.

Also,
House Bill No. 45,

A bill for an act to define the jurisdiction of the district court and the powers of the judges thereof, and to regulate the exercise of such powers,

And find the same correctly engrossed.

J. DEXTER PIERCE,
Chairman.

The Committee on State Affairs made the following report:

MR. SPEAKER:

Your Committee on State Affairs have had under consideration House Bill No. 48, and report the same without recommendation.

L. A. UELAND,
Chairman.

Mr. Ueland moved
That the consideration of
House Bill No. 47,

A bill for an act to appoint a Board of Boiler Inspectors and defining their duties with registering of those operating and working on steam boilers,

Be made a special order for Monday, January 23,

Which motion prevailed.

The Committee on State Affairs made the following report:

MR. SPEAKER:

Your Committee on State Affairs, to whom was referred House Bill No. 59, have had the same under consideration and recommend that it do pass.

L. A. UELAND,
Chairman.

MOTIONS AND RESOLUTIONS.

The courtesies of the floor were extended to Messrs. D. O. Murray, Thomas Burk, Andrew Lindelie, O. W. Francis, Mc-Millan and Gullickson.

Mr. Pierce moved that
House Bill No. 36,

A bill for an act entitled "An act to protect stock raisers and promote the breeding of improved live stock within the State of North Dakota, and to provide a lien for the service of sires, being chapter 117 of the Laws of 1884,"

Be recalled from the Committee on Engrossment and be re-committed to the Committee on Agriculture,

Which motion prevailed.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

SENATE CHAMBER, }
Bismarck, January 16, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith
Senate Bill No. 2,

A bill for an act to repeal subdivision 11 of section 1 of chapter 100 of the Session Laws of 1891, relating to revenue and taxation.

Also,
Senate Bill No. 13,

Concurrent Resolution to amend section 162 of article 9 of the Constitution of the State of North Dakota.

Also,
Senate Bill No. 19,

A bill for an act to change the boundaries of the counties of Stark and Mercer.

Also,
Senate Bill No. 27,

A bill for an act to amend section 1 of chapter 35 of the Laws of 1887, relating to corporations, being section 2900 of the Compiled Laws, as to purposes for which private corporations may be formed,

Which the Senate has passed, and your favorable consideration thereof is respectfully requested.

FRED FALLEY,
Secretary.

Mr. Ueland offered the following resolution and moved its adoption:

Resolved, That the Secretary of State be requested to turn over to the Committee on Elections all papers in his office relative to the contest case of Michels vs. Havrevold.

Mr. Oliver rose to a point of order that the same matter had been once indefinitely postponed, and was therefore out of order.

Mr. Speaker decided the point not well taken.

Mr. Oliver appealed from the decision of the chair.

Roll call demanded.

The roll being called there were ayes 40, nays 4.

Those who voted in the affirmative were:

Messrs—

Bentley,
Caldwell,
Cochrane,
Davis,
Deans,
Elliott,
Hall,

Messrs—

Johnson, of Sargent,
Johnston,
Kelly,
Larson,
Levang,
Logan,
Lohnes,

Messrs—

Rinde,
Sanford,
Severson,
Simpson,
Strom,
Thexton,
Towers,

Messrs—	Messrs—	Messrs—
Hallum,	McCanna,	Ueland,
Halvorson,	McCulloch,	Veeder,
Haugen,	McLean,	Wallen,
Hodgson,	Newman,	Wineman,
Holliday,	Pierce,	Wishek,
Hurley,	Plain,	Yegen.
James,		

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Burkhardt,	Horgan,	Satterlund.
Churchill,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Benedict,	Lee,	Southard,
Boynton,	McArthur,	Thompson,
Ebbighausen,	O'Keefe,	Tufts,
Hagen,	Oksendahl,	Wright,
Havrevold,	Oliver,	Mr. Speaker.
Johnson, of G'd Forks,	Ritter,	

Messrs. Johnson, of Grand Forks, Lee, McArthur, Southard, Thompson and Tufts being excused.

So the decision of the Chair was sustained.

Mr. Simpson moved

To lay the resolution offered by Mr. Ueland on the table,
Which motion was lost.

The question recurring upon the original motion, the resolution was adopted.

REPORT OF STANDING COMMITTEES.

The Committee on Engrossed Bills made the following report:

MR. SPEAKER:

Your Committee on Engrossed Bills respectfully return herewith

House Bill No. 36,

A bill for an act to amend an act entitled "An act to protect stock raisers and promote the breeding of improved live stock within the State of North Dakota, and to provide a lien for the service of sires," being chapter 117 of the Laws of 1891.

J. DEXTER PIERCE,
Chairman.

UNFINISHED BUSINESS.

Mr. Strom moved

That the report of the Committee of the Whole on House Bill No. 33 be taken from the table,
Which motion prevailed.

Mr. Hodgson moved

That the report of the Committee of the Whole be adopted,
Which motion prevailed.

COMMUNICATIONS FROM STATE OFFICERS.

STATE OF NORTH DAKOTA,
AUDITOR'S OFFICE,
BISMARCK, N. D., January 14, 1893.

To the Honorable Committee on Appropriations, House of Representatives,
Third Legislative Assembly:

GENTLEMEN—In accordance with a resolution of the House of Representatives, instructing me to furnish to the Committee on Appropriations a statement showing the available resources of the State for the ensuing two years, and also an estimated cost of maintaining the State government for the same period, I have the honor to submit the following:

RESOURCES.

Balance in general fund, January 1, 1893.....	\$ 104,080 49
Estimated revenue from State taxes.....	510,000 00
Estimated collections, State office fees.....	35,000 00
Estimated collections, gross earnings, tax.....	90,000 00
Estimated collections, insurance companies, tax.....	38,000 00
Total available resources for State purposes.....	\$ 757,080 49

ESTIMATED COST.

Third Legislative Assembly.....	\$ 53,000 00
State officers' salaries.....	57,000 00
State officers' clerk hire and office expenses.....	64,000 00
Supreme court.....	31,000 00
District courts.....	36,000 00
Maintenance of capitol offices.....	17,500 00
State Hospital for Insane (maintenance).....	158,000 00
State Penitentiary (maintenance).....	55,000 00
State University (maintenance).....	60,000 00
State School for Deaf (maintenance).....	15,000 00
State Normal School, Mayville (maintenance).....	15,000 00
State Normal School, Valley City (maintenance).....	15,000 00
State Soldiers' Home (maintenance).....	20,000 00
State Agricultural College (maintenance).....	25,000 00
Arrest and return, fugitives from justice.....	1,500 00
Transportation of convicts to penitentiary.....	5,000 00
Transportation of patients to hospital.....	10,000 00
Insurance, public buildings.....	2,500 00
Public printing.....	25,000 00
State militia.....	25,000 00
State Library.....	3,500 00
World's Columbian Exposition.....	12,500 00
Compilation of laws.....	8,500 00
Bounties.....	6,000 00
Teachers' institute.....	3,500 00
Mileage and expenses, State boards (other than institutions)...	4,000 00
Printing compiled laws.....	7,000 00
Expenses, agent, clerk hire, etc. (university and school lands)...	21,000 00
Other purposes.....	5,000 00
Total.....	\$ 761,500 00

In estimating the revenue of the State from State taxes, I have necessarily been governed by assessments and collections of past years. The valuation of 1892, being \$8,000,000 less than 1891, and the levy one-half mill less, reduces

the available resources very materially. The tax for 1893 is estimated upon that of 1892, but should the Board of Equalization make the levy more or less, and the valuation be returned at a greater or lesser sum, there would be, by so much as they are raised or lowered, an increase or deficiency in that source of revenue. I have endeavored to estimate the expenditures on an economical basis and have not included anything for new buildings or for appropriations other than such as have been hitherto made.

Respectfully yours,
ARTHUR W. POTTER,
State Auditor.

Which was referred to the Committee on Appropriations.

Also,

Hon. Geo. H. Walsh, Speaker, and Gentlemen of the House of Representatives of the Third Legislative Assembly of North Dakota:

It having come to my knowledge that insinuations have been made by a party in interest, reflecting upon my official conduct as Secretary of State, in the matter of the contest of Michels vs. Havrevold, to a seat in your honorable body, I therefore beg leave to submit the accompanying affidavits and letter, the truth of which is further known to Hon. W. O. DePuy, present Assistant Secretary of State.

An impartial and strict compliance with law was ever my rule in official and private relations alike, and I cannot permit such slanderous insinuations to tarnish my name. I have the honor to be, very respectfully,

Your obedient servant,
JOHN FLITTIE.

IN RE MICHELS VS. HAVREVOLD.

STATE OF NORTH DAKOTA, }
COUNTY OF BURLEIGH. } ss.

John Flittie, being first duly sworn, deposes and says that at a few minutes before 12 o'clock noon on the 3d day of January, 1893, the Hon. J. G. Hamilton, Chief Clerk of the House of Representatives, called at the office of the Secretary of State and made inquiry as to whether any notices of contest to any seat in the House of Representatives had been filed, to which I replied in the negative. And deponent further deposes and says that he retired as Secretary of State promptly at 12 o'clock noon on January 3, 1893; that the eastern mail, for that day, had not been received and opened at that hour, and that the legal papers of contest in legal form in the case of Michels vs. Havrevold were not received by him or his official assistants while in office.

JOHN FLITTIE.

Subscribed and sworn to before me this 16th day of January, A. D. 1893.

[SEAL.]

P. E. BYRNE,

Notary Public, State of North Dakota.

STATE OF NORTH DAKOTA, }
COUNTY OF BURLEIGH. } ss.

Miss M. F. Enright, being first duly sworn, deposes and says that she has read the accompanying affidavit of Hon. John Flittie, in regard to the contest of Michels vs. Havrevold, and that, as the then chief clerk in the Department of State, she knows that all the statements therein made are true.

M. F. ENRIGHT.

Subscribed and sworn to before me this 16th day of January, A. D. 1893.

[SEAL.]

P. E. BYRNE,

Notary Public, North Dakota.

STATE OF NORTH DAKOTA,
DEPARTMENT OF STATE,
BISMARCK, December 30, 1892.

Mr. James Michels, Minnewaukan, N. D.:

DEAR SIR:—The contest papers inclosed in your letter of the 27th are herewith returned, that the same may be certified, carefully sealed and the nature of the contents noted on outside of envelope, as the Secretary has no authority to open such papers only as provided by law.

[COPY.]

Very respectfully,
JOHN FLITTIE,
Secretary of State.

INTRODUCTION AND FIRST READING OF BILLS, JOINT RESOLUTIONS
AND MEMORIALS.

Mr. Hodgson introduced—

House Bill No. 81,

A bill for an act to amend section 324 of the Code of Civil Procedure,

Which was read the first time.

Mr. McLean introduced—

House Bill No. 82,

A bill for an act to amend section 37 of chapter 62 of an act "providing for a uniform system of public schools," of the Laws of 1890,

Which was read the first time.

Mr. Ueland introduced—

House Bill No. 83,

A bill for an act governing the alteration of county boundaries,
Which was read the first time.

Mr. Walsh introduced—

House Bill No. 84,

A bill for an act entitled "An act to amend section 9 of chapter 40 of the Special Laws of 1883, as amended by section 3 of chapter 168 of the Laws of 1887, and section 1 of chapter 180 of the Laws of 1890, relating to the University of North Dakota,

Which was read the first time.

Also,

House Bill No. 85,

A bill for an act entitled "An act authorizing cities, towns and villages to place all fines, penalties and forfeitures into the general fund,"

Which was read the first time.

Mr. Wishek introduced—

House Bill No. 86,

A bill for an act to amend section 201 of the Code of Civil Procedure, in relation to attachment,

Which was read the first time.

SECOND READING OF HOUSE BILLS, JOINT RESOLUTIONS AND MEMORIALS.

House Bill No. 73,

A bill for an act for the prevention and suppression of infectious and contagious diseases, and to preserve the public health,

Was read the second time and referred to the Committee on Public Health.

House Bill No. 74,

A bill for an act to require all railways in this State to run a train for freight and passenger traffic over their roads and all lines and branches thereof during each week day of the year,

Was read the second time and referred to the Committee on Railroads.

House Bill No. 75,

A bill for an act to amend section 1 of chapter 27 of the General Laws of 1890, entitled "An act to establish a board of inspectors for steam vessels and steam boilers, and to provide for licensing engineers of steam engines,"

Was read the second time and referred to the Committee on Agriculture.

House Bill No. 76,

A bill for an act allowing persons convicted of crime to testify in civil or criminal action,

Was read the second time and referred to the Judiciary Committee.

House Bill No. 77,

A bill for an act admitting books as evidence,

Was read the second time and referred to the Judiciary Committee.

House Bill No. 78,

A bill for an act to enable county commissioners to present the listing, assessment, advertisement and selling at tax sales of lots according to their subdivisional description in certain cases,

Was read the second time and referred to the Committee on Taxation and Tax Laws.

House Bill No. 79,

A bill for an act to amend section 1 of chapter 82 of the Laws of 1881, being an act entitled "An act to provide for the compilation, publication, distribution and sale of the Laws of the State of North Dakota,

Was read the second time and referred to the Judiciary Committee.

House Bill No. 80,

A bill for an act defining the powers and duties of the State Auditor,

Was read the second time and referred to the Committee on Ways and Means.

THIRD READING OF HOUSE BILLS.

House Bill No. 13,

A bill for an act prescribing the qualifications of deputies, clerks and employes of the State, county and municipal governments of and within the State of North Dakota.

Was read the third time and placed upon its final passage.

The roll being called there were ayes 49, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hurley,	Plain,
Bentley,	James,	Rinde,
Bullard,	Johnson, of Sargent,	Sanford,
Burkhardt,	Johnston,	Satterlund,
Caldwell,	Kelly,	Severson,
Churchill,	Larson,	Simpson,
Cochrane,	Levang,	Strom,
Davis,	Logan,	Thexton,
Deans,	Lohnes,	Towers.
Elliott,	McCanna,	Ueland,
Hall,	McCulloch,	Veeder,
Hallum,	McLean,	Wallen,
Halvorson,	Newman,	Wineman,
Haugen,	Oksendahl,	Wishek,
Havrevold,	Oliver,	Yegen,
Hodgson,	Pierce,	Mr. Speaker.
Horgan,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Lee,	Southard.
Ebbighausen,	McArthur,	Thompson,
Hagen,	O'Keefe,	Tufts,
Holliday,	Ritter,	Wright.
Johnson, of G'd Forks,		

Messrs. Johnson, of Grand Forks, Lee, McArthur, O'Keefe, Ritter, Southard, Thompson, Tufts and Wright being excused.

So the bill passed and the title was agreed to.

House Bill No. 45,

A bill for an act to define the jurisdiction of the District Court and the powers of the judges thereof, and to regulate the exercise of such powers,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 47, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hurley,	Rinde,
Bentley,	James,	Sanford,
Bullard,	Johnson, of Sargent,	Satterlund,
Burkhardt,	Johnston,	Severson,
Churchill,	Kelly,	Simpson,
Cochrane,	Larson,	Strom,
Davis,	Levang,	Thexton,
Deans,	Logan,	Towers,
Elliott,	Lohnes,	Ueland,
Hall,	McCanna,	Veeder,
Halvorson,	McLean,	Wallen,
Haugen,	Newman,	Wineman,
Havrevold,	Oksendahl,	Wishek,
Hodgson,	Oliver,	Yegen,
Holliday,	Pierce,	Mr. Speaker.
Horgan,	Plain,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Johnson, of G'd Forks,	Ritter,
Caldwell,	Lee,	Southard,
Ebbighausen,	McArthur,	Thompson,
Hagen,	McCulloch,	Tufts,
Hallum,	O'Keefe,	Wright.

Messrs. Lee, Southard, Thompson, Tufts and Wright being excused.

So the bill passed and the title was agreed to.

FIRST AND SECOND READING OF SENATE BILLS.

Mr. Simpson moved

That all Senate Bills to-day be read the first and second times and be referred to their appropriate committees,

Which motion prevailed.

Senate Bill No. 2,

A bill for an act to repeal subdivision 11 of section 1 of chapter 100 of the Session Laws of 1891,

Was read the first and second times and referred to the Committee on Taxation and Tax Laws.

Senate Bill No. 13,

A bill for an act to amend section 162 of article 9 of the Constitution of the State of North Dakota,

Was read the first and second times and referred to the Committee on School and Public Lands.

Senate Bill No. 27,

A bill for an act to amend section 1 of chapter 35 of the Laws of 1887, relating to corporations,

Was read the first and second times and referred to the Committee on Corporations other than Municipal.

Senate Bill No. 19,

A bill for an act to change the boundaries of the counties of Stark and Mercer,

Was read the first and second times and referred to the Committee on Counties and County Boundaries.

GENERAL ORDERS.

Mr. Speaker called Mr. McCulloch to the chair.

When the committee arose the following report was presented:

MR. SPEAKER:

Your Committee of the Whole have had under consideration House Bill No. 31,

A bill for an act to amend chapter 81 of the Laws of 1891,

And recommend that the title of the bill be amended to read as follows:

An act to amend chapter 81 of the Laws of 1891, entitled "An act to amend section 1 of chapter 82 of the General Laws of 1887," the same being section 6153 of the Compiled Laws of 1887,

And when so amended that the bill do pass.

Also,

House Bill No. 47,

A bill for an act to appoint a Board of Boiler Inspectors and defining their duties with registering of those operating and working on steam boilers,

And recommend that it be made a special order for Monday, January 23, 1893, at 3 o'clock p. m.

W. T. McCULLOCH,
Chairman.

Mr. Ueland moved

The adoption of the report of the Committee of the Whole,
Which motion prevailed.

Mr. Bentley moved

That the House take a recess to meet ex-Gov. Ordway,
Which motion prevailed.

Mr. McLean moved

That the House do now adjourn,
Which motion prevailed, and
The House adjourned.

J. G. HAMILTON,
Chief Clerk.

FIFTEENTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 17, 1893.

The House assembled at 2 o'clock p. m., pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All members present except Messrs. Ebbighausen and Lohnes, who were excused.

The committee to examine and correct the Journal made the following report:

MR. SPEAKER:

Your committee to revise and correct the Journal of the fourteenth day have examined the same and recommend the following corrections:

On page 1, after the report of the committee to correct the Journal, add "There being no objection the report was adopted and the Journal approved." Also, on page 7, after House Bill No. 83, strike out "which motion prevailed" and insert "which was read the first time,"

And with these corrections recommend the Journal be approved.

D. C. TUFTS,
Chairman.

There being no objection the report was adopted and the Journal approved.

Mr. Oliver offered the following Concurrent Resolution and moved its adoption:

CONCURRENT RESOLUTION.

Be it Resolved by the House of Representatives, the Senate concurring:
That the Governor be requested to appoint a committee of three expert accountants, one of whom shall be the Public Examiner, R. E. Wallace, whose

duty it shall be to investigate and report to this Legislative Assembly all facts relating to the investment of all moneys received from the sale or rental of school lands within this State. Said committee shall have full power to examine all public records and papers in the various State offices, and to compel the attendance of witnesses before said committee,

Which motion prevailed, and
The Concurrent Resolution was adopted.

Mr. Oliver moved

That the Secretary of State be authorized to have printed 500 copies of the report of J. B. Powers as special agent of the Governor to select public lands,

Which motion prevailed.

REPORTS OF STANDING COMMITTEES.

The Committee on Elections and Privileges made the following majority and minority reports:

A majority of the Committee on Elections and Privileges, to whom was referred the matter of the contest of Michaels vs. Havrevold, made the following report:

MR. SPEAKER:

Your Committee on Elections and Privileges, in the matter of the alleged contest between Michaels and Havrevold, report that there having been no notice of contest filed with the Secretary of State during the time prescribed by law, there is, therefore, no contest pending, and this body has no jurisdiction in the case.

Your committee desires to report, however, that Hon. L. P. Havrevold, having been regularly issued a certificate as a Representative in the House of Representatives, Third Legislative Assembly, State of North Dakota, from the Twentieth Legislative District, is entitled to a seat in this body, and that this House has no power to determine otherwise.

JOHN YEGEN,
Chairman,
H. S. OLIVER,
RALPH HALL,
A. J. JOHNSON,
O. S. WALLEN,
ARNE P. HAUGEN,
L. A. SIMPSON.

The minority of said committee made the following minority report:

MR. SPEAKER:

A minority of your Committee on Elections and Privileges beg leave to make the following report:

That from the consideration of the contest case of Michaels vs. Havrevold, we are convinced that James Michaels is entitled to a seat in this House, for the following reasons: 1. Mr. James

Michaels served a written notice of his contest on Lars P. Havrevold according to law, and failed to receive any answer whatever from Lars P. Havrevold, thereby admitting that the allegations were true. 2. Said James Michaels filed his contest and the necessary papers with the Secretary of State according to law and without unnecessary delay. 3. That the returns show that said Michaels has a majority of all the legal votes cast for representative in the Twentieth District, and that the Indians who voted in one precinct in said district did so illegally, as they had not taken lands in severalty and had not severed their tribal relations for a period of two years prior to the last election. We therefore recommend that said James Michaels be admitted as a member of this House from the Twentieth Legislative District.

W. T. McCULLOCH,
T. M. ELLIOTT.

Mr. Ueland moved

As a substitute motion that the minority report be adopted.

Mr. Haugen moved

That the majority report be adopted.

Mr. Oliver raised the point of order that Mr. Ueland's motion to substitute the minority report was out of order, there being no question then pending.

Mr. Speaker ruled the point of order well taken.

The question being upon the adoption of the majority report, Roll call demanded.

The roll being called there were ayes 34, nays 25.

Those who voted in the affirmative were:

Messrs.	Messrs.	Messrs.
Benedict,	Hurley,	Severson,
Bentley,	James,	Simpson,
Boynton,	Johnson of G'd Forks,	Southard,
Bullard,	Larson,	Strom,
Burkhardt,	McArthur,	Tufts,
Churchill,	Newman,	Veeder,
Cochrane,	Oksendahl,	Wallen,
Davis,	Oliver,	Wineman,
Hall,	Pierce,	Wishek,
Halvorson,	Ritter,	Yegen,
Haugen,	Satterlund,	Mr. Speaker.
Horgan,		

Those who voted in the negative were:

Messrs.	Messrs.	Messrs.
Caldwell,	Kelly,	Plain,
Deans,	Lee,	Rinde,
Elliott,	Levang,	Sanford,
Hagen,	Logan,	Thexton,
Hallum,	McCanna,	Thompson,
Hodgson,	McCulloch,	Towers,

Messrs—	Messrs—	Messrs—
Holliday,	McLean,	Ueland,
Johnson of Sargent,	O'Keefe,	Wright.
Johnston,		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Ebbighausen,	Havrevold.	Lohnes,

Mr. Havrevold being an interested party and not voting,

So the majority report was adopted.

Mr. Cochrane moved

That the vote by which the majority report of the Committee on Election, and Privileges in the matter of the contest of Michaels vs. Havrevold was adopted be reconsidered, and that the motion to reconsider lie on the table.

Roll call demanded.

The roll being called there were ayes 35, nays 24.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hurley,	Severson,
Bentley,	James,	Simpson,
Boynton,	Johnson of G'd Forks,	Southard,
Bullard,	Larson,	Strom,
Burkhardt,	McArthur,	Tufts,
Churchill,	McCanna,	Veeder,
Cochrane,	Newman,	Wallen,
Davis,	Oksendahl,	Wineman,
Hall,	Oliver,	Wishek,
Halvorson,	Pierce,	Yegen,
Haugen,	Ritter,	Mr. Speaker.
Horgan,	Satterlund,	

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Caldwell,	Johnston,	Plain,
Deans,	Kelly,	Rinde,
Elliott,	Lee,	Sanford,
Hagen,	Levang,	Thexton,
Hallum,	Logan,	Thompson,
Hodgson,	McCulloch,	Towers,
Holliday,	McLean,	Ueland,
Johnson of Sargent,	O'Keefe,	Wright.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Ebbighausen,	Havrevold,	Lohnes.

Mr. Havrevold being an interested party and not voting.

So the motion to reconsider and lie on the table prevailed.

MOTIONS AND RESOLUTIONS.

Mr. Oliver moved

That the House do now proceed to the election of a United

States Senator; that the Chief Clerk call the roll, and that as the names are called the members respond with a *viva voce* vote,

Which motion prevailed, and

The roll being called there were 60 votes cast, of which number Mr. L. R. Casey received 5, Mr. J. H. Worst 5, Mr. J. R. Smith 7, Mr. W. J. Anderson 6, Mr. John Satterlund 2, Mr. R. T. Kingman 5, Mr. W. N. Roach 15, Mr. Walter Muir 14, Mr. H. S. Oliver 1.

Those voting for Mr. Casey were:

Messrs. Benedict, Bentley, Newman, Southard, Wishek—5.

Those voting for Mr. Worst were:

Messrs. Boynton, Burkhardt, Cochrane, Simpson, Yegen—5.

Those voting for Mr. Anderson were:

Messrs. Davis, Halvorson, Haugen, Pierce, Wineman, Walsh—6.

Those voting for Mr. Smith were:

Messrs. Bullard, Churchill, McArthur, Ritter, Severson, Tufts, Wright—7.

Those voting for Mr. Satterlund were:

Messrs. Havrevold and Veeder—2.

Those voting for Mr. Roach were:

Messrs. Deans, Hall, Hallum, Holliday, Horgan, James, Johnson, of Grand Forks, Johnston, Kelly, McCanna, McLean, O'Keefe, Plain, Sanford, Thexton—15.

Those voting for Mr. Kingman were:

Messrs. Hurley, Larson, Oksendahl, Strom, Wallen—5.

Those voting for Mr. Muir were:

Messrs. Caldwell, Elliott, Hagen, Hodgson, Johnson, of Sargent, Lee, Levang, Logan, McCulloch, Oliver, Rinde, Thompson, Towers, Ueland—14.

Mr. Satterlund voted for Mr. Oliver.

Mr. Hurley moved

That the House do now adjourn.

Mr. Ueland moved

As an amendment, that when the House adjourn, it adjourn to meet to-morrow at 11:45 o'clock a. m.,

Which amendment was accepted,

And the question being on the motion to adjourn until 11:45 a. m.,

Roll call demanded.

The roll being called there were ayes 46, nays 11.

Those who voted in the affirmative were:

Messrs.

Benedict,
Bentley,
Boynton,

Messrs.

Horgan,
Hurley,
James,

Messrs.

Oliver,
Pierce,
Plain,

Messrs—	Messrs—	Messrs—
Bullard,	Johnson of Sargent,	Rinde,
Burkhardt,	Johnson of G'd Forks,	Sanford,
Churchill,	Johnston,	Satterlund,
Cochrane,	Kelly,	Simpson,
Davis,	Larson,	Thexton,
Deans,	Lee,	Thompson,
Elliott,	McArthur,	Towers,
Hall,	McCanna,	Tufts,
Hallum,	McLean,	Ueland,
Halvorson,	Newman,	Veeder,
Havrevold,	O'Keefe,	Wishek,
Hodgson,	Oksendahl,	Yegen.
Holliday,		

Those who voted in the negative were:

Messrs.	Messrs.	Messrs.
Caldwell,	McCulloch,	Wineman,
Hagen,	Southard,	Wright,
Haugen,	Strom,	Mr. Speaker.
Logan,	Wallen,	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Ebbighausen,	Lohnes,	Severson.
Levang,	Ritter,	

Messrs. Ebbighausen and Lohnes being excused.

So the motion to adjourn prevailed,
And the House adjourned.

J. G. HAMILTON,
Chief Clerk.

SIXTEENTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 18, 1893.

The House assembled at 11:45 o'clock a. m. pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All members present.

UNFINISHED BUSINESS.

Mr. Oliver offered the following resolution and moved its adoption:

Be it Resolved, That the Chief Clerk forthwith notify the Senate that the House is now in readiness to receive the Senate in Joint Session for the purpose of taking such proceedings in relation to the election of a United States Senator as shall be necessary and proper,

Which motion prevailed, and
The resolution was adopted.

Mr. Oliver moved

That until further ordered the House meet at 12 o'clock noon of each day,

Which motion prevailed.

The courtesies of the floor were extended to Messrs. George Purcell, O. H. Phillips, George F. LaShell, A. J. Rusted, Edison, A. M. Landman, B. T. Warn, C. O. Sherdell, Abner Veech, H. D. Allert, T. McHugh, W. T. Mooney, Thos. Burke, John McBride, Percy Trubshaw, J. H. McDermot, R. A. Fox, Henry Errickson, John Christian, Col. Ellsworth, Hon. James Bell, James Harriot, H. Sibley, Park Rider, Duncan McDonald, J. Jell Dobbin, C. K. Bassett, P. J. Peterson, Amasa P. Peake, James Walks, N. J. Olson, Judge F. L. Thompson, Hon. Reuben Noble, Hon. Steve Nye, Hon. James F. O'Brien.

The Sergeant-at-Arms announced the Lieutenant Governor, members of the Senate and officers thereof in waiting.

JOINT SESSION.

The Joint Session of the two Houses was called to order by the Lieutenant Governor, the President of the Senate, who announced that the hour had arrived for the meeting of the Joint Session and designated the Chief Clerk of the House as Clerk of the Joint Session.

The roll of the respective Houses was called.

All the members present.

Mr. President announced that the purpose of the Joint Session was the comparison of the Journals of the House and Senate relating to the election of a United States Senator.

The Journal of each House being read, and it appearing therefrom that no candidate had received a majority of all the votes cast by the Senators and Representatives,

Nominations for United States Senator were declared in order.

Mr. Cashel nominated Lyman R. Casey.

Mr. Sorley nominated W. J. Anderson.

Mr. Simpson nominated J. H. Worst.

Mr. McArthur nominated J. R. Smith.

Mr. Hurley nominated R. T. Kingman.

Mr. Gregory nominated John Satterlund.

Mr. Burke nominated W. N. Roach.

Mr. Stevens nominated Walter Muir.

FIRST BALLOT.

The roll being called there were 93 votes cast, of which Mr. Casey received 11, Mr. Worst 13, Mr. Roach 23, Mr. Muir 17, Mr. Anderson 9, Mr. Smith 8, Mr. Kingman 8, Mr. Satterlund 3, Mr. Oliver 1.

Those who voted for Mr. Casey were:

Messrs. Cashel, Haggart, Ink, Svensrud, White, Benedict, Bentley, Burkhardt, Newman, Southard, Wishek—11.

Those who voted for Mr. Worst were:

Messrs. Day, Fuller, Little, McGillivray, Miller, Palmer, Young, Boynton, Cochrane, Havievoid, Simpson, Wright, Yegen—13.

Those who voted for Mr. Roach were:

Messrs. Bidlake, Brynjolfson, Burke, Engle, Kinter, McCormack, Patch, Deans, Ebbighausen, Hall, Hallum, Holliday, Horgan, James, Johnson of Grand Forks, Johnston, Kelly, McCanna, McLean, O'Keefe, Plain, Sanford, Thexton—23.

Those who voted for Mr. Muir were:

Messrs. Hillier, Lamb, McCarten, Stevens, Caldwell, Elliott, Hagen, Hodgson, Johnson of Sargent, Lee, Levang, Logan, McCulloch, Rinde, Thompson, Towers, Ueland—17.

Those who voted for Mr. Anderson were:

Messrs. Arnold, Sorley, Davis, Havrevold, Haugen, Lohnes, Pierce, Wineman, Mr. Speaker—9.

Those who voted for Mr. Smith were:

Messrs. Pinkham, Worst, Bullard, Churchill, McArthur, Ritter, Severson, Tufts—8.

Those who voted for Mr. Kingman were:

Messrs. Enger, Johnson, LaMoure, Hurley, Larson, Oliver, Strom, Wallen—8.

Those who voted for Mr. Satterlund were:

Messrs. Gregory, Oksendahl, Veeder—3.

Mr. Satterlund voted for Mr. Oliver.

Mr. Pinkham moved

That we do now proceed to take the second ballot for United States Senator,

Which motion prevailed.

SECOND BALLOT.

The roll being called there were 93 votes cast, of which Mr. Casey received 11, Mr. Worst 12, Mr. Roach 23, Mr. Muir 17, Mr. Anderson 10, Mr. Smith 8, Mr. Kingman, 7, Mr. Satterlund 4, Mr. Oliver 1.

Those who voted for Mr. Casey were:

Messrs. Cashel, Haggart, Ink, Svensrud, White, Benedict, Bentley, Burkhardt, Newman, Southard, Wishek—11.

Those who voted for Mr. Worst were:

Messrs. Day, Fuller, Little, McGillivray, Palmer, Young, Boynton, Cochrane, Havrevold, Simpson, Wright, Yegen—12.

Those who voted for Mr. Roach were:

Messrs. Bidlake, Brynjolfson, Burke, Engle, Kinter, McCormack, Patch, Deans, Ebbighausen, Hall, Hallum, Holliday, Horgan, James, Johnson of Grand Forks, Johnston, Kelly, McCanna, McLean, O'Keefe, Plain, Sanford, Thexton—23.

Those who voted for Mr. Muir were:

Messrs. Hillier, Lamb, McCarten, Stevens, Caldwell, Elliott, Hagen, Hodgson, Johnson of Sargent, Lee, Levang, Logan, McCulloch, Rinde, Thompson, Towers, Ueland—17.

Those who voted for Mr. Anderson were:

Messrs. Arnold, Enger, Davis, Halvorson, Haugen, Lohnes, Pierce, Wineman, Mr. Speaker—9.

Those who voted for Mr. Smith were:
Messrs. Pinkham, Worst, Bullard, Churchill, McArthur, Ritter,
Severson, Tufts—8.

Those who voted for Mr. Kingman were:
Messrs. Johnson, LaMoure, Hurley, Larson, Oliver, Strom,
Wallen—7.

Those who voted for Mr. Satterlund were:
Messrs. Gregory, Miller, Oksendahl, Veeder—4.

Mr. Satterlund voted for Mr. Oliver.

Mr. Simpson moved
That the Joint Assembly do now dissolve,
Which motion was lost.

Mr. Hodgson moved
That we do now proceed to take the third ballot for United
States Senator,
Which motion prevailed.

THIRD BALLOT.

The roll being called there were 93 votes cast, of which Mr. Casey received 12, Mr. Worst 12, Mr. Roach 23, Mr. Muir 17, Mr. Anderson 10, Mr. Smith 8, Mr. Kingman 7, Mr. Oliver 1, Mr. Satterlund 3.

Those who voted for Mr. Casey were:
Messrs. Cashel, Haggart, Ink, Miller, Svensrud, White, Benedict,
Bentley, Burkhardt, Newman, Southard, Wishek—12.

Those who voted for Mr. Worst were:
Messrs. Day, Fuller, Little, McGillivray, Palmer, Young, Boynton,
Cochrane, Havrevold, Simpson, Wright, Yegen—12.

Those who voted for Mr. Roach were:
Messrs. Bidlake, Brynjolfson, Burke, Engle, Kinter, McCormack,
Patch, Deans, Ebbighausen, Hall, Hallum, Holliday, Horgan,
James, Johnson of Grand Forks, Johnston, Kelly, McCanna,
McLean, O'Keefe, Plain, Sanford, Thexton—23.

Those who voted for Mr. Muir were:
Messrs. Hillier, Lamb, McCarten, Stevens, Caldwell, Elliott,
Hagen, Hodgson, Johnson of Sargent, Lee, Levang, Logan, McCulloch,
Rinde, Thompson, Towers, Ueland—17.

Those who voted for Mr. Anderson were:
Messrs. Arnold, Enger, Sorley, Davis, Halvorson, Haugen,
Lohnes, Pierce, Wineman, Mr. Speaker—10.

Those who voted for Mr. Smith were:
Messrs. Pinkham, Worst, Bullard, Churchill, McArthur, Ritter,
Severson, Tufts—8.

Those who voted for Mr. Kingman were:
Messrs. Johnson, LaMoure, Hurley, Larson, Oliver, Strom,
Wallen—7.

Those who voted for Mr. Satterlund were:
Messrs. Gregory, Oksendahl, Veeder—3.

Mr. Satterlund voted for Mr. Oliver.

Mr. Haugen moved
That the Joint Session do now dissolve.

Mr. Cashel moved
As an amendment, that when we dissolve, we dissolve to meet
at 12 o'clock noon to-morrow.

Mr. Oliver raised the point of order that the amendment was
out of order, for the reason that 12 o'clock noon is the hour of
meeting.

Mr. President decided the point of order well taken.

The question being upon the motion to dissolve,
Roll call demanded.

The roll being called there were ayes 47, nays 45.

Those who voted in the affirmative were:

Messrs.	Messrs.	Messrs.
Arnold,	Boynton,	McArthur,
Cashel,	Bullard,	Newman,
Day,	Burkhardt,	O'Keefe,
Fuller,	Churchill,	Oksendahl,
Gregory,	Cochrane,	Oliver,
Haggart,	Davis,	Pierce,
LaMoure,	Ebbighauson,	Satterlund,
McGillivray,	Halvorson,	Simpson,
Miller,	Haugen,	Southard,
Palmer,	Havrevold,	Veeder,
Sorley,	Holliday,	Wineman,
Svensrud,	Horgan,	Wishek,
Worst,	James,	Wright,
White,	Johnson of G'd Forks,	Yegen,
Young,	Johnston,	Mr. Speaker.
Bentley,	Lohnes,	

Those who voted in the negative were:

Messrs.	Messrs.	Messrs.
Ridlake,	Stevens,	McCanna,
Brynjolfson,	Benedict,	McCulloch,
Burke,	Caldwell,	McLean,
Enger,	Deans,	Plain,
Engle,	Elliott,	Rinde,
Hillier,	Hagen,	Ritter,
Ink,	Hall,	Sanford,
Johnson,	Hallum,	Severson,
Kinter,	Hodgson,	Strom,
Lamb,	Hurley,	Thexton,
Little,	Johnson of Sargent,	Thompson,
McCarten,	Larson,	Towers,

Messrs—
McCormack,
Patch,
Pinkham,

Messrs—
Lee,
Levang,
Logan,

Messrs—
Tufts,
Ueland,
Wallen.

Mr. Kelly being absent and not voting.

And the motion to dissolve prevailed.

House reassembled.

Mr. Hurley moved

That the House do now adjourn,

Which motion prevailed,

And the House adjourned.

J. G. HAMILTON,
Chief Clerk.

SEVENTEENTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 19, 1893.

The House assembled at 12 o'clock noon pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All members present except Mr. Havrevold, who was excused.

Mr. Speaker appointed Messrs. Bentley, Ueland and Davis a committee to notify the Senate that the House was in readiness to receive the Senate in Joint Session to ballot for a United States Senator.

The courtesies of the floor were extended to Messrs. J. Douglas, Hon. W. C. Lieshkov, J. Deshene, H. Harlan, H. Johnson, G. Bear, R. Cook, C. D. Lord, Dougherty, Wilcox, Peabody, O. C. Harland, J. D. Black, A. Stienberg, F. P. Wright, C. A. Walker, Hurland.

The Sergeant-at-Arms announced the Lieutenant Governor, members of the Senate and officers thereof, with House Committee escorting, in waiting.

JOINT SESSION.

The Joint Session of the two Houses was called to order by the Lieutenant Governor, the President of the Senate.

The rolls of the respective Houses were called.

All members present except Mr. Havrevold of the House, who was excused.

The Journal of the Joint Session of the 18th inst. was read.

Mr. Oliver moved

That the reading of the names be dispensed with,

Which motion prevailed.

Mr. Pinkham asked to have the Journal of the Joint Session of the 18th inst. corrected, by striking out "Pinkham" after the words "those who voted for Mr. Anderson were," on page three, And with this correction the Journal was approved.

Mr. Cashel moved

That the Joint Session do now proceed to take the fourth ballot for a United States Senator,

Which motion prevailed.

FOURTH BALLOT.

The roll being called there were 92 votes cast, of which Mr. Casey received 13, Mr. Worst 12, Mr. Roach 23, Mr. Muir 17, Mr. Anderson 9, Mr. Smith 8, Mr. Kingman 8, Mr. Satterlund 1, Mr. Oliver 1.

Those who voted for Mr. Casey were:

Messrs. Cashel, Haggart, Ink, Miller, Svensrud, White, Benedict, Bentley, Burkhardt, Davis, Newman, Southard, Wishek—13.

Those who voted for Mr. Worst were:

Messrs. Day, Fuller, Gregory, Little, McGillivray, Palmer, Young, Boynton, Cochrane, Simpson, Wright, Yegen—12.

Those who voted for Mr. Roach were:

Messrs. Bidlake, Brynjolfson, Burke, Engle, Kinter, McCormack, Patch, Deans, Ebbighausen, Hall, Hallum, Holliday, Horgan, James, Johnson of Grand Forks, Johnston, Kelly, McCanna, McLean, O'Keefe, Plain, Sanford, Thexton—23.

Those who voted for Mr. Muir were:

Messrs. Hillier, Lamb, McCarten, Stevens, Caldwell, Elliott, Hagen, Hodgson, Johnson of Sargent, Lee, Levang, Logan, McCulloch, Rinde, Thompson, Towers, Ueland—17.

Those who voted for Mr. Anderson were:

Messrs. Arnold, Enger, Sorley, Halvorson, Haugen, Lohnes, Pierce, Wineman, Mr. Speaker—9.

Those who voted for Mr. Smith were:

Messrs. Pinkham, Worst, Bullard, Churchill, McArthur, Ritter, Severson, Tufts—8.

Those who voted for Mr. Kingman were:

Messrs. Johnson, LaMoure, Hurley, Larson, Oksendahl, Oliver, Strom, Wallen—8.

Mr. Veeder voted for Mr. Satterlund.

Mr. Satterlund voted for Mr. Oliver.

Mr. Havrevold being absent and excused.

Mr. Hagen moved

That the Joint Session do now proceed to take the fifth ballot, Which motion prevailed.

FIFTH BALLOT.

And the roll being called there were 92 votes cast, of which Mr. Casey received 13, Mr. Worst 11, Mr. Roach 23, Mr. Muir 1, Mr. Anderson 9, Mr. Smith 8, Mr. Kingman 8, Mr. Satterlund 2, Mr. Oliver 1, Mr. Benton 16.

Those who voted for Mr. Casey were:

Messrs. Cashel, Haggart, Ink, Miller, Svensrud, White, Benedict, Bentley, Burkhardt, Davis, Newman, Southard, Wishek—13.

Those who voted for Mr. Worst were:

Messrs. Day, Fuller, Little, McGillivray, Palmer, Young, Boynton, Cochrane, Simpson, Wright, Yegen—11.

Those who voted for Mr. Roach were:

Messrs. Bidlake, Brynjolfson, Burke, Engle, Kinter, McCormack, Patch, Deans, Ebbighausen, Hall, Hallum, Holliday, Horgan, James, Johnson, of Grand Forks, Johnston, Kelly, McCanna, McLean, O'Keefe, Plain, Sanford, Thexton—23.

Mr. Logan voted for Mr. Muir.

Those who voted for Mr. Anderson were:

Messrs. Arnold, Enger, Sorley, Halvorson, Haugen, Lohnes, Pierce, Wineman, Mr. Speaker—9.

Those who voted for Mr. Smith were:

Messrs. Pinkham, Worst, Bullard, Churchill, McArthur, Ritter, Severson, Tufts—8.

Those who voted for Mr. Kingman were:

Messrs. Johnson, LaMoure, Hurley, Larson, Oksendahl, Oliver, Strom, Wallen—8.

Those who voted for Mr. Satterlund were:

Messrs. Gregory, Veeder—2.

Mr. Satterlund voted for Mr. Oliver.

Those who voted for Mr. Benton were:

Messrs. Hillier, Lamb, McCarten, Stevens, Caldwell, Elliott, Hagen, Hodgson, Johnson of Sargent, Lee, Levang, McCulloch, Rinde, Thompson, Towers, Ueland—16.

Mr. Havrevold being absent and excused.

Mr. Haugen moved

That the Joint Session do now proceed to take the sixth ballot,
Which motion prevailed.

SIXTH BALLOT.

And the roll being called there were 92 votes cast, of which Mr. Casey received 13, Mr. Worst 11, Mr. Roach 4, Mr. Muir 1, Mr. Anderson 8, Mr. Smith 8, Mr. Kingman 9, Mr. Satterlund 2, Mr. Oliver 1, Mr. Benton 35.

Those who voted for Casey were:

Messrs. Cashel, Haggart, Ink, Miller, Svensrud, White, Benedict, Bentley, Burkhardt, Davis, Newman, Southard, Wishek—13.

Those who voted for Mr. Worst were:

Messrs. Day, Fuller, Little, McGillivray, Palmer, Young, Boynton, Cochrane, Simpson, Wright, Yegen—11.

Those who voted Mr. Roach were:

Messrs. Horgan, James, Johnson of Grand Forks, McCanna—4.

Mr. Logan voted for Mr. Muir.

Those who voted for Mr. Anderson were:

Messrs. Arnold, Enger, Sorley, Halvorson, Haugen, Lohnes, Pierce, Wineman—8.

Those who voted for Mr. Smith were:

Messrs. Pinkham, Worst, Bullard, Churchill, McArthur, Ritter, Severson, Tufts—8.

Those who voted for Mr. Kingman were:

Messrs. Johnson, LaMoure, Hurley, Larson, Oksendahl, Oliver, Strom, Wallen, Mr. Speaker—9.

Those who voted for Mr. Satterlund were:

Messrs. Gregory, Veeder—2.

Mr. Satterlund voted for Mr. Oliver.

Those who voted for Mr. Benton were:

Messrs. Bidlake, Brynjolfson, Burke, Engle, Hillier, Kinter, Lamb, McCarten, McCormack, Patch, Stevens, Caldwell, Deans, Ebbighausen, Elliott, Hagen, Hall, Hallum, Hodgson, Holliday, Johnson, of Sargent, Johnston, Kelly, Lee, Levang, McCulloch, McLean, O'Keefe, Plain, Rinde, Sanford, Thexton, Thompson, Towers, Ueland—35.

Mr. Havrevold being absent and excused.

Mr. McGillivray moved

That we do now proceed to take the seventh ballot,

Which motion prevailed.

SEVENTH BALLOT.

The roll being called there were 92 votes cast, of which Mr. Casey received 13, Mr. Worst 12, Mr. Roach 22, Mr. Muir 17, Mr. Anderson 9, Mr. Smith 8, Mr. Kingman 9, Mr. Satterlund 1, Mr. Benton 1.

Those who voted for Mr. Casey were:

Messrs. Cashel, Haggart, Ink, Miller, Svensrud, White, Benedict, Bentley, Burkhardt, Davis, Newman, Southard, Wishek—13.

Those who voted for Mr. Worst were:

Messrs. Day, Fuller, Gregory, Little, McGillivray, Palmer, Young, Boynton, Cochrane, Simpson, Wright, Yegen—12.

Those who voted for Mr. Roach were:

Messrs. Bidlake, Brynjolfson, Burke, Engle, Kinter, Patch Deans, Ebbighausen, Hall, Hallum, Holliday, Horgan, James Johnson of Grand Forks, Johnston, Kelly, McCanna, McLean O'Keefe, Plain, Sanford, Thexton—22.

Those who voted for Mr. Muir were:

Messrs. Hillier, Lamb, McCarten, Stevens, Caldwell, Elliott, Hagen, Hodgson, Johnson of Sargent, Lee, Levang, Logan, McCulloch, Rinde, Thompson, Towers, Ueland—17.

Those who voted for Mr. Anderson were:

Messrs. Arnold, Enger, Sorley, Halvorson, Haugen, Lohnes, Pierce, Wineman, Mr. Speaker—9.

Those who voted for Mr. Smith were:

Messrs. Pinkham, Worst, Bullard, Churchill, McArthur, Ritter, Severson, Tufts—8.

Those who voted for Mr. Kingman were:

Messrs. Johnson, LaMoure, Hurley, Larson, Oksendahl, Oliver, Satterlund, Strom, Wallen—9.

Mr. Veeder voted for Mr. Satterlund.

Mr. McCormack voted for Mr. Benton.

Mr. Havrevold being absent and excused.

Mr. Pinkham moved

That we do now proceed to take the eighth ballot,

Which motion prevailed

EIGHTH BALLOT.

The roll being called there were 92 votes cast, of which Mr. Casey received 13, Mr. Worst 12, Mr. Roach 20, Mr. Muir 17, Mr. Anderson 2, Mr. Smith 8, Mr. Kingman 8, Mr. Walsh 12.

Those who voted for Mr. Casey were:

Messrs. Cashel, Haggart, Ink, Miller, Svensrud, White, Benedict, Bentley, Burkhardt, Davis, Newman, Southard, Wishek—13.

Those who voted for Mr. Worst were:

Messrs. Day, Fuller, Gregory, Little, McGillivray, Palmer, Young, Boynton, Cochrane, Simpson, Wright, Yegen—12.

Those who voted for Mr. Roach were:

Messrs. Bidlake, Brynjolfson, Burke, Engle, Kinter, Patch, Deans, Ebbighausen, Hall, Hallum, Holliday, Horgan, James, Johnston, Kelly, McLean, O'Keefe, Plain, Sanford, Thexton—20.

Those who voted for Mr. Muir were:

Messrs. Hillier, Lamb, McCarten, Stevens, Caldwell, Elliott, Hagen, Hodgson, Johnson of Sargent, Lee, Levang, Logan, McCulloch, Rinde, Thompson, Towers, Ueland—17.

Those who voted for Mr. Anderson were:

Mr. Enger, Mr. Speaker—2.

Those who voted for Mr. Smith were:

Messrs. Pinkham, Worst, Bullard, Churchill, McArthur, Ritter, Severson, Tufts—8

Those who voted for Mr. Kingman were:

Messrs. Johnson, LaMoure, Hurley, Larson, Oksendahl, Satterlund, Strom, Wallen—8.

Those who voted for Mr. Walsh were:

Messrs. Arnold, McCormack, Sorley, Halverson, Haugen, Johnson of Grand Forks, Lohnes, McCanna, Oliver, Pierce, Veeder, Wineman—12.

Mr. Havrevold being absent and excused.

Mr. Arnold moved

That we do now proceed to take the ninth ballot,

Which motion prevailed.

NINTH BALLOT.

The roll being called there were 92 votes cast, of which Mr. Casey received 12, Mr. Worst 10, Mr. Roach 17, Mr. Muir 16, Mr. Anderson 6, Mr. Smith 8, Mr. Kingman 7, Mr. Benton 2, Mr. Logan 1, Mr. LaMoure 4, Walsh 1, Gregory 8.

Those who voted for Mr. Casey were:

Messrs. Cashel, Haggart, Ink, Miller, Svensrud, White, Benedict, Bentley, Burkhardt, Newman, Southard, Wishek—12.

Those who voted for Mr. Worst were:

Messrs. Fuller, Gregory, Little, McGillivray, Young, Boynton, Cochrane, Simpson, Wright, Yegen—10.

Those who voted for Mr. Roach were:

Messrs. Bidlake, Brynjolfson, Burke, Engle, Kinter, Patch, Deans, Ebbighausen, Hall, Hallum, Johnston, Kelly, McLean, O'Keefe, Pierce, Sanford, Thexton—17.

Those who voted for Mr. Muir were:

Messrs. Hillier, Lamb, McCarten, Stevens, Caldwell, Elliott, Johnson, of Sargent, Lee, Levang, McCulloch, Plain, Rinde, Thompson, Towers, Ueland—16.

Those who voted for Mr. Anderson were:

Messrs. Arnold, Enger, Sorley, Halvorson, Haugen, Hogdson, Wineman—7.

Those who voted for Mr. Smith were:

Messrs. Pinkham, Worst, Bullard, Churchill, McArthur, Ritter, Severson, Tufts—8.

Those who voted for Mr. Kingman were:

Messrs. Johnston, LaMoure, Hurley, Larson, Oliver, Strom, Wallen—7.

Those who voted for Mr. Benton were:

Messrs. McCormack, Johnson, of Grand Forks—2.

Mr. Logan voted for Mr. Walsh.

Those who voted for Mr. Gregory:

Messrs. Day, Palmer, Davis, Lohnes, McCanna, Oskendahl, Satterlund, Veeder—8.

Mr. Hagen voted for Mr. Logan.

Those who voted for Mr. LaMoure were:

Messrs. Holliday, Horgan, James, Mr. Speaker—4.

Mr. Havrevold being absent and excused.

Mr. Bentley moved

That a committee of three be appointed to draft appropriate resolutions respecting the death of the late ex-President Rutherford B. Hayes,

Which motion prevailed, and

Mr. President appointed as such committee Messrs. Bentley, Kinter and Stevens.

Mr. Little moved

That the Joint Session do now dissolve.

Roll call demanded.

The roll being called there were ayes 25, nays 67.

Those who voted in the affirmative were:

Messrs.	Messrs.	Messrs.
Day,	White,	Larson,
Fuller,	Young,	Lohnes,
Gregory,	Bentley,	Oskendahl,
Little,	Boynton,	Oliver,
LaMoure,	Cochrane,	Satterlund,
Miller,	Davis,	Tufts,
Palmer,	Horgan,	Wright,
Svensrud,	James,	Yegen.
Worst,		

Those who voted in the negative were:

Messrs.	Messrs.	Messrs.
Arnold,	Caldwell,	McCulloch,
Bidlake,	Churchill,	McLean,
Brynjolfson,	Deans,	Newman,
Burke,	Ebbighausen,	O'Keefe,
Cashel,	Elliott,	Pierce,
Enger,	Hagen,	Plain,
Engle,	Hall,	Rinde,
Haggart,	Hallum,	Ritter,
Hillier,	Halverson,	Sanford,
Ink,	Haugen,	Severson,
Johnson,	Hodgson,	Simpson,
Kinter,	Holliday,	Southard,

Messrs—	Messrs—	Messrs—
Lamb,	Hurley,	Strom,
McCarten,	Johnson of Sargent,	Thexton,
McCormack,	Johnson of G'd Forks,	Thompson,
McGillivray,	Johnston,	Towers,
Patch,	Kelly,	Ueland,
Pinkham,	Lee,	Veeder,
Sorley,	Levang,	Wallen,
Stevens,	Logan,	Wineman,
Benedict,	McArthur,	Wishek,
Bullard,	McCanna,	Mr. Speaker.
Burkhardt,		

Mr. Havrevold being absent and excused.

So the motion to dissolve the Joint Session was lost.

Mr. Hodgson moved

That we do now proceed to take the tenth ballot,
Which motion prevailed.

TENTH BALLOT.

The roll being called there were 92 votes cast, of which Mr. Casey received 13, Mr. Worst 12, Mr. Roach 4, Mr. Muir 1, Mr. Anderson 8, Mr. Smith 8, Mr. Kingman, 9, Mr. Lamb 31, Mr. McCormack 6.

Those who voted for Mr. Casey were:

Messrs. Cashel, Haggart, Ink, Miller, Svensrud, White, Benedict, Bentley, Burkhardt, Davis, Newman, Southard, Wishek—13.

Those who voted for Mr. Worst were:

Messrs. Day, Fuller, Gregory, Little, McGillivray, Palmer, Young, Boynton, Cochrane, Simpson, Wright, Yegen—12.

Those who voted for Mr. Roach were:

Messrs. Bidlake, Brynjolfson, Hallum, McLean—4.

Mr. Lamb voted for Mr. Muir.

Those who voted for Mr. Anderson were:

Messrs. Arnold, Enger, Sorley, Haugen, Lohnes, Pierce, Satterlund, Wineman—8.

Those who voted for Mr. Smith were:

Messrs. Pinkham, Worst, Bullard, Churchill, McArthur, Ritter, Severson, Tufts—8.

Those who voted for Mr. Kingman were:

Messrs. Johnson, LaMoure, Hurley, Larson, Oksendahl, Oliver, Strom, Veeder, Wallen—9.

Those who voted for Mr. Lamb were:

Messrs. Engle, Hillier, Kinter, McCarten, McCormack, Patch, Stevens, Caldwell, Deans, Ebbighausen, Elliott, Hagen, Hall, Hodgson, Horgan, Johnson of Sargent, Johnston, Lee, Levang, Logan, McCanna, McCulloch, O'Keefe, Plain, Rinde, Sanford, Thexton, Thompson, Towers, Ueland—31.

Those who voted for Mr. McCormack were:
Messrs. Halvorson, Holliday, James, Johnson of Grand Forks,
Kelly, Mr. Speaker—6.

Mr. Havrevold being absent and excused.
Mr. Gregory moved
That we do now proceed to take the eleventh ballot,
Which motion prevailed.

ELEVENTH BALLOT.

The roll being called there were 92 votes cast, of which Mr. Casey received 13, Mr. Worst 10, Mr. Roach 6, Mr. Muir 16, Mr. Anderson 5, Mr. Smith 8, Mr. Kingman 9, Mr. Benton 2, Mr. McCormack 4, Mr. Ink 1, Mr. McGinnis 1, Mr. Kinter 1, Mr. Horgan 16.

Those who voted for Mr. Casey were:
Messrs. Cashel, Haggart, Ink, Miller, Svensrud, White, Benedict, Bentley, Burkhardt, Davis, Newman, Southard, Wishek—13.

Those who voted for Mr. Worst were:
Messrs. Fuller, Gregory, Little, McGillivray, Young, Boynton, Cochrane, Simpson, Wright, Yegen—10.

Those who voted for Mr. Roach were:
Messrs. Brynjolfson, Kinter, Palmer, Patch, Holliday, Kelly—6.

Those who voted for Mr. Muir were:
Messrs. Hillier, Lamb, McCarten, Stevenson, Caldwell, Elliott, Hagen, Hodgson, Johnson, of Sargent, Lee, Levang, Logan, McCulloch, Rinde, Towers, Mr. Speaker—16.

Those who voted for Mr. Anderson were:
Messrs. Day, Enger, Halvorson, Lohnes, Pierce—5.

Those who voted for Mr. Smith were:
Messrs. Pinkham, Worst, Bullard, Churchill, McArthur, Ritter, Severson, Tufts—8.

Those who voted for Mr. Kingman were:
Messrs. Johnson, Hurley, Larson, Oksendahl, O'Keefe, Satterlund, Strom, Veeder, Wallen—9.

Those who voted for Mr. McCormack were:
Messrs. Arnold, Sorley, Haugen, Wineman—4.

Those who voted for Mr. Benton were:
Messrs. Deans, Horgan—2.

Those who voted for Mr. Horgan were:
Messrs. Bidlake, Burke, Engle, LaMoure, McGillivray, Ebbighausen, Hall, James, Johnson, of Grand Forks, Johnston, McCanna, McLean, O'Keefe, Plain, Thexton, Thompson—16.

Mr. Hallum voted for Mr. Ink.

Mr. Satterlund voted for Mr. McGinnis.

Mr. Ueland voted for Mr. Kinter.

Mr. Little moved
That the Joint Session do now dissolve.

Roll call demanded.

The roll being called there were ayes 55, nays 37.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Arnold,	Worst,	McArthur.
Cashel,	White,	Newman,
Day,	Young.	Oksendahl,
Enger,	Benedict,	Oliver,
Fuller,	Bentley,	Pierce,
Gregory,	Bullard,	Ritter,
Haggart,	Churchill,	Severson,
Hillier,	Cochrane,	Simpson,
Ink,	Davis,	Southard,
Johnson, of G. Forks,	Halvorson,	Strom,
Little,	Haugen.	Tufts,
LaMoure.	Horgan,	Ueland.
McCormack,	Hurley,	Wallen,
McGillivray,	James,	Wineman,
Miller,	Johnson of G'd Forks,	Wishek,
Palmer,	Larson,	Wright,
Pinkham,	Lee,	Yegen,
Sorley,	Lohnes,	Mr. Speaker.
Svensrud,		

Those voting in the negative were:

Messrs—	Messrs—	Messrs—
Bidlake,	Deans,	McCanna,
Brynjolfson,	Ebbighausen,	McCulloch,
Burke,	Hagen,	McLean,
Engle,	Hall,	O'Keefe,
Kinter,	Hallum,	Plain,
Lamb,	Hodgson,	Rinde,
McCarten,	Holliday,	Sanford,
Patch,	Johnson of Sargent,	Satterlund,
Stevens,	Johnston,	Thexton,
Boynton,	Kelly,	Thompson,
Burkhardt,	Levang,	Towers,
Caldwell,	Logan,	Veeder.

Mr. Elliott not voting.

Mr. Havrevold being absent and excused.

And so the motion to dissolve the Joint Session prevailed, and
The Joint Session dissolved.

J. G. HAMILTON,
Clerk of the Joint Session.

House reassembled.

Mr. Johnson, of Grand Forks, moved
That the House do now adjourn,
Which motion prevailed, and
The House adjourned.

J. G. HAMILTON,
Chief Clerk.

EIGHTEENTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 20, 1893.

The House assembled at 12 o'clock noon pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All members present except Messrs. Havrevold and Larson, who were excused.

Mr. Hurley offered the following resolution and moved its adoption:

Resolved, That this House learns with the deepest regret of the sad affliction sustained by Representative L. H. Larson, in the death of his son, Henry Larson, who was an efficient member of the clerical force of this body; that the sympathy of the House be officially extended Representative Larson, through the Chief Clerk, and that these resolutions be printed in the Journal.

Mr. Strom moved as an amendment to the motion to adopt,
That a copy of the resolutions be forwarded by the Chief Clerk to the afflicted family,

Which amendment was accepted, and

The original motion as amended prevailed.

Mr. Speaker appointed Messrs. Oliver, Horgan and Logan a committee to notify the Senate that the House was in readiness to receive the Senate in Joint Session to ballot for a United States Senator.

The Sergeant-at-Arms announced the Lieutenant Governor, members of the Senate and officers thereof, with the House committee escorting, in waiting.

JOINT SESSION.

The Joint Session of the two Houses was called to order by the Lieutenant Governor, the President of the Senate.

The rolls of the respective Houses were called.

All the members present, except Messrs. Havrevold and Larson of the House, who were excused.

The Journal of the Joint Session of the 19th inst. was read.

Mr. Kinter moved

That the reading of the names be dispensed with,

Which motion prevailed.

Mr. Brynjolfson asked that the Journal be corrected on page 8, after the words "those who voted for Mr. Lamb were," by striking out "Brynjolfson,"

And with this correction the Journal was approved.

RESOLUTIONS.

The special committee to draft appropriate resolutions respecting the death of ex-President Rutherford B. Hayes presented the following preamble and resolutions:

MR. PRESIDENT:

Your committee appointed to draft resolutions regarding the death of ex-President Rutherford B. Hayes would respectfully make the following report:

WHEREAS, Reliable information has been received by this Assembly of the death of the Hon. Rutherford B. Hayes, ex-president of the United States; and,

WHEREAS, We deem it not only right and proper, but a duty, to manifest our respect, our sympathy and our sorrow, if the opportunity is presented, whenever this nation is called upon to mourn the loss of such distinguished citizens; therefore,

Be it Resolved, That in the death of ex-President Rutherford B. Hayes this nation has lost one of its most respected and purest public men, a man who won his own way from a homeless boy to the White House, a position second to none on earth, by the rectitude of his conduct and patient, persistent industry and integrity. A man whose loyalty responded to his country's cry of impending peril, and who, through multiplied campaigns, preserved his dignified character as a Christian gentleman, and carved out a record of loyalty, patriotism and ability as a general which challenged the admiration of not only his own state but of the entire nation; a man who went through the seething vortex of political strife with no odor of dishonor attached to his name; a man who, while occupying the highest position within the gift of the people of this nation, preserved the simplicity and purity of his character untarnished; a man who, although a partisan, loved his country better than his party; a man who, through life, in public or private, on the tented field or in the executive chair, preserved his dignity and his manhood, and this Joint Assembly of the Legislature of the State of North Dakota hereby seeks to do honor to his character, to sympathize with his family and friends at his loss, and as a part of this great government to drop a tear to his memory.

Resolved, That our national flag be caused to float at half-mast above this Capitol building on the day of his funeral service as a further mark of regret and respect for his honorable life and eminent services as a citizen and a soldier to his country.

WM. A. BENTLEY,
F. M. KINTER,
JAMES W. STEVENS,
Committee.

Mr. Palmer moved
That the report of the committee be adopted,
Which motion prevailed.

TWELFTH BALLOT.

Mr. Svensrud moved
That the Joint Session do now proceed to take the twelfth ballot
for a United States Senator,
Which motion prevailed.

The Joint Session proceeded to take the twelfth ballot.

The roll being called there were 91 votes cast, of which Mr. Casey received 13, Mr. Worst 11, Mr. Roach 23, Mr. Muir 17, Mr. Anderson 9, Mr. Smith 9, Mr. Kingman 6, Mr. Oliver 3.

Those who voted for Mr. Casey were:

Messrs. Cashel, Haggart, Ink, Miller, Svensrud, White, Benedict, Bentley, Burkhardt, Davis, Newman, Southard, Wishek—13.

Those who voted for Mr. Worst were:

Messrs. Day, Fuller, Gregory, Little, McGillivray, Palmer, Cochrane, Oliver, Simpson, Wright, Yegen—11.

Those who voted for Mr. Roach were:

Messrs. Bidlake, Brynjolfson, Burke, Engle, Kinter, McCormack, Patch, Deans, Ebbighausen, Hall, Hallum, Holliday, Horgan, James, Johnson of Grand Forks, Johnston, Kelly, McCanna, McLean, O'Keefe, Plain, Sanford, Thexton—23.

Those who voted for Mr. Muir were:

Messrs. Hillier, Lamb, McCarten, Stevens, Caldwell, Elliott, Hagen, Hodgson, Johnson of Sargent, Lee, Levang, Logan, McCulloch, Rinde, Thompson, Towers, Ueland—17.

Those who voted for Mr. Anderson were:

Messrs. Arnold, Enger, Sorley, Halvorson, Haugen, Lohnes, Pierce, Wineman, Mr. Speaker—9.

Those who voted for Mr. Smith were:

Messrs. Pinkham, Worst, Young, Bullard, Churchill, McArthur, Ritter, Severson, Tufts—9.

Those who voted for Mr. Kingman were:

Messrs. Johnson, LaMoure, Hurley, Oksendahl, Strom, Wallen—6.

Those who voted for Mr. Oliver were:

Messrs. Boynton, Satterlund, Veeder—3.

Messrs. Havrevold and Larson being excused.

THIRTEENTH BALLOT.

Mr. Little moved
That the Joint Session do now proceed to take the thirteenth
ballot for United States Senator,

Which motion prevailed.

The Joint Session proceeded to take the thirteenth ballot:

The roll being called there were 91 votes cast, of which Mr. Casey received 11, Mr. Worst 6, Mr. Roach 29, Mr. Muir 3, Mr. Anderson 3, Mr. Smith 7, Mr. Kingman 5, Mr. Ink 16, Mr. Underhill 9, Mr. Hamilton 2.

Those who voted for Mr. Casey were:

Messrs. Cashel, Haggart, Ink, Svensrud, White, Benedict, Bentley, Davis, Newman, Southard, Wishek—11.

Those who voted for Mr. Worst were:

Messrs. Fuller, Gregory, Little, Satterlund, Wright, Yegen—6.

Those who voted for Mr. Roach were:

Messrs. Arnold, Bidlake, Brynjolfson, Burke, Engle, Kinter, McCormack, Patch, Sorley, Deans, Ebbighausen, Hall, Hallum, Halvorson, Haugen, Holliday, Horgan, James, Johnson of Grand Forks, Johnston, Kelly, McCanna, McLean, O'Keefe, Pierce, Plain, Sanford, Thexton, Wineman—29.

Those who voted for Mr. Muir were:

Messrs. Caldwell, Johnson of Sargent, Oliver—3.

Those who voted for Mr. Anderson were:

Messrs. Enger, Lohnes, Mr. Speaker—3.

Those who voted for Mr. Smith were:

Messrs. Pinkham, Worst, Young, Bullard, McArthur, Ritter, Severson—7.

Those who voted for Mr. Kingman were:

Messrs. Johnson, LaMoure, Hurley, Strom, Wallen—5.

Those voting for Mr. Ink were:

Messrs. Hillier, Lamb, McCarten, Stevens, Elliott, Hagen, Hodgson, Lee, Levang, Logan, McCulloch, Rinde, Thompson, Towers, Tufts, Ueland—16.

Those who voted for Mr. Underhill were:

Messrs. Day, McGillivray, Miller, Palmer, Burkhardt, Churchill, Cochrane, Oksendahl, Simpson—9.

Those who voted for Mr. Hamilton were:

Messrs. Boynton, Veeder—2.

Messrs. Havrevold and Larson being excused.

FOURTEENTH BALLOT.

Mr. Haugen moved

That the Joint Session do now proceed to take the fourteenth ballot,

Which motion prevailed.

The Joint Session proceeded to take the fourteenth ballot.

The roll being called there were 91 votes cast, of which Mr. Casey received 12, Mr. Worst 6, Mr. Muir 1, Mr. Anderson 7, Mr. Smith 5, Mr. Kingman 5, Mr. Plummer 7, Mr. McCormack 3, Mr. Benton 39, Mr. Hurley 1, Mr. Fuller 1, Mr. Pinkham 1, Mr. Simpson 2.

Those who voted for Mr. Casey were:

Messrs. Cashel, Haggart, Ink, Miller, Svensrud, White, Benedict, Bentley, Burkhardt, Newman, Southard, Wisnek—12.

Those who voted for Mr. Worst were:

Messrs. Day, Fuller, Little, Cochrane, Wright, Yegen—6.

Those who voted for Mr. Simpson were:

Messrs. Veeder, Wineman—2.

Mr. Logan voted for Mr. Muir.

Those who voted for Mr. Anderson were:

Messrs. Arnold, Enger, Sorley, Halvorson, Haugen, Pierce, Mr. Speaker—7.

Those who voted for Mr. Smith were:

Messrs. Young, Bullard, Churchill, McArthur, Severson—5.

Those who voted for Mr. Kingman were:

Messrs. Johnson, Worst, Hurley, Strom, Wallen—5.

Those who voted for Mr. Benton were:

Messrs. Bidlake, Brynjolfson, Burke, Engle, Hillier, Kinter, Lamb, McCarten, McCormack, Patch, Stevens, Caldwell, Deans, Ebbighausen, Elliott, Hagen, Hall, Hallum, Hodgson, Holliday, Horgan, James, Johnson of Sargent, Johnson of Grand Forks, Johnston, Kelly, Lee, Levang, McCanna, McCulloch, McLean, O'Keefe, Plain, Rinde, Sanford, Thexton, Thompson, Towers, Ueland—39.

Those who voted for Mr. Plummer were:

Messrs. Gregory, Palmer, Davis, Oksendahl, Oliver, Ritter, Satterlund—7.

Mr. LaMoure voted for Mr. Hurley.

Those who voted for Mr. McCormack were:

Messrs. McGillivray, Pinkham, Lohnes—3.

Mr. Boynton voted for Mr. Fuller.

Mr. Simpson voted for Mr. Wineman.

Mr. Tufts voted for Mr. Pinkham.

Mr. LaMoure moved

That the Joint Session do now dissolve.

Roll call demanded.

The roll being called there were ayes 45, nays 46.

Those who voted in the affirmative were:

Messrs—	Messrs.	Messrs.
Arnold,	Svensrud,	Oksendahl,
Cashel,	White,	Oliver,
Day,	Young,	Pierce,
Fuller,	Benedict,	Ritter,
Gregory,	Bentley,	Satterlund,
Haggart,	Boynton,	Simpson,
Ink,	Burkhardt,	Southard,
Johnson,	Churchill,	Strom,
Little,	Cochrane,	Tufts,
LaMoure,	Davis,	Veeder,
McGillivray,	Halvorson,	Wallen.
Miller,	Haugen,	Wineman,
Palmer,	Hurley,	Wishek,
Pinkham,	Lohnes,	Yegen,
Sorley,	Newman,	Mr. Speaker.

Those who voted in the negative were:

Messrs—	Messrs.	Messrs.
Bidlake,	Ebbighausen,	Logan,
Brynjoifson,	Elliott,	McArthur,
Burke,	Hagen,	McCanna,
Enger,	Hall,	McCulloch,
Engle,	Hallum,	McLean,
Hillier,	Hodgson,	O'Keefe,
Kinter,	Holliday,	Plain,
Lamb,	Horgan,	Rinde,
McCarten,	James,	Sanford,
McCormack,	Johnson of Sargent,	Severson,
Patch,	Johnson of G'd Forks,	Thexton,
Stevens,	Johnston,	Thompson,
Worst,	Kelly,	Towers,
Bullard,	Lee,	Ueland,
Caldwell,	Levang,	Wright.
Deans,		

Messrs. Havrevold and Larson being excused.

So the motion to dissolve the Joint Session was lost.

FIFTEENTH BALLOT.

Mr. Burke moved

That the Joint Session do now proceed to take the fifteenth ballot,

Which motion prevailed.

Mr. Little moved

That the Joint Session do now take a recess until 2 o'clock p. m.,

Which motion was lost.

Mr. Oliver moved

That the Joint Session do now dissolve.

Roll call demanded.

The roll being called there were ayes 44, nays 47

Those who voted in the affirmative were:

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Messrs—	Messrs—	Messrs—
Arnold,	Sorley,	Oliver,
Cashel,	Svensrud,	Pierce,
Day,	Worst,	Ritter,
Enger,	White,	Satterlund,
Fuller,	Benedict,	Simpson,
Gregory,	Bentley,	Southard,
Haggart,	Boynton,	Strom,
Ink,	Burkhardt,	Tufts,
Johnson,	Cochrane,	Veeder,
Little,	Davis,	Wallen,
LaMoure,	Halvorson,	Wineman,
McGillivray,	Haugen,	Wishek,
Miller,	Lohnes,	Yegen,
Palmer,	Newman,	Mr. Speaker.
Pinkham,	Oksendahl,	

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Bidlake,	Ebbighausen,	Logan,
Brynjolfson,	Elliott,	McArthur,
Burke,	Hagen,	McCanna,
Engel,	Hall,	McCulloch,
Hillier,	Hallum,	McLean,
Kinter,	Hodgson,	O'Keefe,
Lamb,	Holliday,	Plain,
McCarten,	Horgan,	Rinde,
McCormack,	Hurley,	Sanford,
Patch,	James,	Severson,
Stevens,	Johnson, of Sargent,	Thexton,
Young,	Johnson, of G'd Forks,	Thompson,
Bullard,	Johnston,	Towers,
Caldwell,	Kelly,	Ueland,
Churchill,	Lee,	Wright.
Deans,	Levang,	

Messrs. Havrevold and Larson were excused.

So the motion to dissolve the Joint Session was lost.

The Joint Session proceeded to take the fifteenth ballot.

The roll being called there were 91 votes cast, of which Mr. Casey received 13, Mr. Worst 8, Mr. Muir 1, Mr. Anderson 9, Mr. Smith 9, Mr. Kingman 8, Mr. Benton 39, Mr. Edison 1, Mr. Hurley 2, Mr. Oliver 1.

Those who voted for Mr. Casey were:

Messrs. Cashel, Haggart, Ink, Miller, Svensrud, White, Benedict, Bentley, Burkhardt, Davis, Newman, Southard, Wishek—13.

Those who voted for Mr. Worst were:

Messrs. Little, McGillivray, Palmer, Cochrane, Oliver, Simpson, Wright, Yegen—8.

Mr. Logan voted for Mr. Muir.

Those who voted for Mr. Anderson were:

Messrs. Arnold, Enger, Gregory, Sorley, Halvorson, Haugen, Lohnes, Pierce, Wineman—9.

Those who voted for Mr. Smith were:

Messrs. Fuller, Pinkham, Young, Bullard, Churchill, McArthur, Ritter, Severson, Mr. Speaker—9.

Those who voted for Mr. Kingman were:

Messrs. Johnson, Worst, Boynton, Hurley, Oksendahl, Strom, Tufts, Wallen—8.

Those who voted for Mr. Benton were:

Messrs. Bidlake, Brynjolfson, Burke, Engle, Hillier, Kinter, Lamb, McCarten, McCormack, Patch, Stevens, Caldwell, Deans, Ebbighausen, Elliott, Hagen, Hall, Hallum, Hodgson, Holliday, Horgan, James, Johnson of Sargent, Johnson of Grand Forks, Johnston, Kelly, Lee, Levang, McCanna, McCulloch, McLean, O'Keefe, Plain, Rinde, Sanford, Thexton, Thompson, Towers, Ueland—39.

Mr. Day voted for Mr. Edison.

Those who voted for Mr. Hurley were:

Messrs. LaMoure, Veeder—2.

Mr. Satterlund voted for Mr. Oliver.

Messrs. Havrevold and Larson being excused.

Mr. Ebbighausen moved

That the Joint Session do now proceed to take the sixteenth ballot.

Mr. Little moved as a substitute

That the Joint Session do now dissolve.

Roll call demanded.

The roll being called there were ayes 51, nays 39.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Day,	Young.	O'Keefe,
Enger,	Benedict,	Oksendahl,
Fuller,	Bentley,	Oliver,
Gregory,	Boynton,	Pierce,
Haggart,	Bullard,	Plain,
Hillier,	Burkhardt,	Ritter,
Ink,	Churchill,	Satterlund.
Little,	Cochrane,	Severson,
LaMoure,	Davis,	Simpson,
McCormack,	Ebbighausen,	Southard,
McGillivray,	Halvorson,	Thexton,
Miller,	Horgan,	Tufts,
Palmer,	James,	Veeder,
Pinkham,	Lohnes,	Wineman,
Svensrud,	McArthur,	Wishek,
Worst,	McCanna,	Yegen,
White,	Newman,	Mr. Speaker.

Those who voted in the negative were:

Messrs—

Arnold,
Bidlake,
Brynjolfson,
Burke,
Cashel,
Engle,
Johnson,
Kinter,
Lamb,
McCarten,
Patch,
Sorley,
Stevens,

Messrs—

Caldwell,
Deans,
Elliott,
Hagen,
Hall,
Hallum,
Haugen,
Hodgson,
Holliday,
Hurley,
Johnson, of Sargent,
Johnson, of G'd Forks,
Johnston,

Messrs—

Kelly,
Lee,
Levang,
Logan,
McLean,
Rinde,
Sanford,
Strom,
Thompson,
Towers,
Ueland,
Wallen,
Wright.

Absent and not voting:

Messrs—

Havrevold,

Messrs—

Larson,

Messrs—

McCulloch,

Messrs. Havrevold and Larson being excused.

So the motion to dissolve the Joint Session prevailed, and
The Joint Session dissolved.

J. G. HAMILTON,
Clerk of the Joint Session.

House reassembled.

Mr. Newman moved

That the House do now adjourn,
Which motion prevailed,
And the House adjourned.

J. G. HAMILTON,
Chief Clerk.

NINETEENTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 21, 1893.

The House assembled at 12 o'clock noon pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All members present except Messrs. Havrevold and Larson, who were excused.

Mr. Speaker appointed Messrs. Benedict, Hodgson and Deans a committee to notify the Senate that the House was in readiness to receive the Senate in Joint Session to ballot for a United States Senator.

The courtesies of the floor were extended to Messrs. J. A. Underhill, A. N. Jeffries, C. F. Merry and John A. Ely.

The Sergeant-at-Arms announced the Lieutenant Governor, members of the Senate and officers thereof, with the House committee escorting, in waiting.

JOINT SESSION.

The Joint Session of the two Houses was called to order by the Lieutenant Governor, the President of the Senate.

The rolls of the respective Houses were called.

All the members present, except Messrs. Havrevold and Larson of the House, who were excused.

The Journal of the Joint Session of the 20th inst. was read.

Mr. Oliver moved

That the reading of the names be dispensed with,

Which motion prevailed.

There being no objections, the Journal of the Joint Session was approved.

Mr. Cashel moved

That the Joint Session do now proceed to take the sixteenth ballot for a United States Senator,

Which motion prevailed.

SIXTEENTH BALLOT.

The roll being called there were 91 votes cast, of which Mr. Casey received 13, Mr. Worst 9, Mr. Roach 23, Mr. Muir 17, Mr. Anderson 11, Mr. Smith 8, Mr. Kingman 9, Mr. LaMoure 1.

Those who voted for Mr. Casey were:

Messrs. Cashel, Haggart, Ink, Miller, Svensrud, White, Benedict, Bentley, Burkhardt, Davis, Newman, Southard, Wishek—13.

Those who voted for Mr. Worst were:

Messrs. Day, Fuller, Little, McGillivray, Palmer, Cochrane, Simpson, Wright, Yegen—9.

Those who voted for Mr. Roach were:

Messrs. Bidlake, Brynjolfson, Burke, Engle, Kinter, McCormack, Patch, Deans, Ebbighausen, Hall, Hallum, Holliday, Horgan, James, Johnson of Grand Forks, Johnston, Kelly, McCanna, McLean, O'Keefe, Plain, Sanford, Thexton—23.

Those who voted for Mr. Muir were:

Messrs. Hillier, Lamb, McCarten, Stevens, Caldwell, Elliott, Hagen, Hodgson, Johnson of Sargent, Lee, Levang, Logan, McCulloch, Rinde, Thompson, Towers, Ueland—17.

Those who voted for Mr. Anderson were:

Messrs. Arnold, Enger, Sorley, Halvorson, Haugen, Lohnes, Pierce, Satterlund, Severson, Wineman, Mr. Speaker—11.

Those who voted for Mr. Smith were:

Messrs. Pinkham, Worst, Young, Bullard, Churchill, McArthur, Ritter, Tufts—8.

Those who voted for Mr. Kingman were:

Messrs. Johnson, LaMoure, Boynton, Hurley, Oksendahl, Oliver, Strom, Veeder, Wallen—9.

Mr. Gegorry voted for Mr. LaMoure.

Messrs. Havrevold and Larson being excused.

SEVENTEENTH BALLOT.

Mr. Haugen moved

That the Joint Session do now proceed to take the seventeenth ballot,

Which motion prevailed.

The roll being called there were 91 votes cast, of which Mr. Casey received 13, Mr. Worst 8, Mr. Roach 19, Mr. Muir 16, Mr. Anderson 16, Mr. Smith 9, Mr. Kingman 7, Mr. Day 3.

Those who voted for Mr. Casey were:

Messrs. Cashel, Haggart, Ink, Miller, Svensrud, White, Benedict, Bentley, Burkhardt, Davis, Newman, Southard, Wishek—13.

Those who voted for Mr. Worst were:

Messrs. Day, Fuller, Little, McGillivray, Boynton, Cochrane, Simpson, Yegen—8.

Those who voted for Mr. Roach were:

Messrs. Bidlake, Brynjolfson, Burke, Engle, Deans, Ebbighausen, Hall, Hallum, Holliday, Horgan, James, Johnston, Kelly, McCanna, McLean, O'Keefe, Plain, Sanford, Thexton—19.

Those who voted for Mr. Muir were.

Messrs. Hillier, McCarten, Stevens, Caldwell, Elliott, Hagen, Hodgson, Johnson, of Sargent, Lee, Levang, Logan, McCulloch, Rinde, Thompson, Towers, Ueland—16.

Those who voted for Mr. Anderson were:

Messrs. Arnold, Enger, Gregory, Kinter, McCormack, Patch, Sorley, Halvorson, Haugen, Johnson of Grand Forks, Pierce, Satterlund, Severson, Wallen, Wineman, Mr. Speaker—16.

Those who voted for Mr. Smith were:

Messrs. Pinkham, Worst, Young, Bullard, Churchill, McArthur, Ritter, Tufts, Wright—9.

Those who voted for Mr. Kingman were:

Messrs. Johnson, LaMoure, Hurley, Oksendahl, Oliver, Strom, Veeder—7.

Those who voted for Mr. Day were:

Messrs. Lamb, Palmer, Lohnes—3.

Messrs. Havrevold and Larson being excused.

Mr. Wineman moved

That the Joint Session do now dissolve.

Roll call demanded.

The roll being called there were ayes 59, nays 32.

Those who voted in the affirmative were: *

Messrs—

Benedict,
Bentley,
Boynton,
Bullard,
Burkhardt,
Churchill,
Cochrane,

Messrs—

Oksendahl,
Oliver,
Pierce,
Ritter,
Satterlund,
Severson,
Simpson,

Messrs—

Day,
Enger,
Engle,
Fuller,
Gregory,
Haggart,
Ink,

Messrs—	Messrs—	Messrs—
Davis,	Southard,	Johnson,
Hagen,	Strom,	Little,
Hall,	Tufts,	LaMoure,
Halvorson,	Veeder,	McGillivray,
Haugen,	Wallen,	Miller,
Horgan,	Wineman,	Palmer,
Hurley,	Wishek,	Pinkham,
James,	Yegen,	Sorley,
Lohnes,	Mr. Speaker,	Svensrud,
McArthur,	Arnold,	Worst,
McCanna,	Bidlake,	White,
McLean,	Burke,	Young.
Newman,	Cashel,	

Those voting in the negative were:

Messrs—	Messrs—	Messrs—
Caldwell,	Lee,	Ueland,
Deans,	Levang,	Wright,
Ebbighausen,	Logan,	Brynjolfson,
Elliott,	McCulloch,	Hillier,
Hallum,	O'Keefe,	Kinter,
Hodgson,	Plain,	Lamb,
Holliday,	Rinde,	McCarten,
Johnson of Sargent,	Sanford,	McCormack,
Johnson of G'd Forks,	Thexton,	Patch,
Johnston,	Thompson,	Stevens.
Kelly,	Towers,	

Messrs. Havrevold and Larson being absent and excused.
So the motion to dissolve the Joint Session prevailed, and
The Joint Session dissolved.

J. G. HAMILTON,
Clerk of the Joint Session.

HOUSE REASSEMBLED,

And proceeded with the regular order of business.

FIRST READING OF HOUSE BILLS, JOINT RESOLUTIONS AND MEMORIALS.

Mr. Walsh introduced—
House Bill No. 87,

A bill for an act to provide a suitable residence for the Chief Executive of the State of North Dakota,
Which was read the first time.

Mr. Boynton introduced—
House Bill No. 88,

A bill for an act for an appropriation for the current and contingent expenses of the Hospital for the Insane at Jamestown,
Which was read the first time.

Also,
 House Bill No. 89,
 A bill for an act for an appropriation for new buildings for the
 Asylum for the Insane at Jamestown,
 Which was read the first time.

Mr. Newman introduced—
 House Bill No. 90,
 A bill for an act to amend article 16 of chapter 73 of the Laws
 of 1887, being sections 1000, 1001, 1002 to 1007, inclusive, of the
 Compiled Laws of the State of North Dakota, and to re-enact the
 same as so amended,
 Which was read the first time.

Mr. Ebbighausen introduced—
 House Bill No. 91,
 A bill for an act to provide for the provisional remedy of garn-
 ishment in civil actions,
 Which was read the first time.

Mr. Deans introduced—
 House Bill No. 92,
 A bill for an act to regulate the terms of district court to be
 held in the several counties constituting the Fourth Judicial
 District,
 Which was read the first time.

Mr. Tufts introduced—
 House Bill No. 93,
 A bill for an act to amend section 24 of chapter 132 of the
 Laws of 1890,
 Which was read the first time.

Mr. Davis offered the following Concurrent Resolution:

CONCURRENT RESOLUTION.

Be it Resolved by the Legislative Assembly of the State of North Dakota,
 That the Secretary of the Interior be and hereby is respectfully requested to
 withdraw his order setting aside a portion of the Turtle Mountain region for
 national park purposes for the following reasons:

The timber in said region is essential to the comforts of the prairie region
 surrounding said park, and it has supplied lumber for building purposes, for
 fencing and fuel, for many years and will for many years to come.

The timber is large poplar, of quick growth, having little commercial
 value, and where fires have run through it, it is of no value whatever except
 for fuel, and not for that purpose unless used within two or three years, while
 by remaining on the ground it contributes to the danger from fires to the
 growing timber.

If given due publicity in the neighborhood the laws and regulations now
 in force in relation to the preservation of timber from destruction and waste
 are ample to preserve this timber in the region for the settlers until such
 time as it may pass into the hands of private parties, who will protect their

own, and for their own protection will dispose of the timber at reasonable rates to those who need it.

The timber has never been cut and shipped out of the State and has not been cut by any corporations to any considerable extent and made merchandise of, but has been cut by settlers coming often as much as thirty miles from the prairie, and when made a matter of traffic by them it has been to secure the necessaries of life or seed for their farms, and this traffic has been generally in the dead and decaying timber.

There is no danger of the forest being destroyed so as to seriously interfere with the rainfall, as the timber is of quick growth, and a thick undergrowth springs up in the place of that burned.

An efficient and discreet special agent of the department should be stationed in that region to warn and instruct persons against cutting timber on said lands unlawfully, and in case of any violations thereof, then to prosecute, and to prosecute vigorously, except where the timber is cut by settlers in order to maintain their improvements upon these or adjoining prairie lands, which would give all required protection to this timber belt, and to the interest of the United States.

Be it further Resolved, That a copy of this resolution shall be engrossed and attested by the President of the Senate and Speaker of the House and be forwarded to the Secretary of the Interior and the Commissioner of the General Land Office for their information.

Mr. Davis moved

That the Concurrent Resolution be referred to the Committee on Forestry,

Which motion prevailed.

The Committee on Engrossed Bills made the following report:

MR. SPEAKER:

Your Committee on Engrossed Bills have examined
House Bill No. 33,

A bill for an act to amend section 2578, Compiled Laws of 1887, relating to divorce.

Also,

House Bill No. 59,

A bill for an act to amend section 1 of chapter 22 of the Political Code of 1877, as amended by section 1 of chapter 137 of the Laws of 1881, being section 1386 of the Compiled Laws.

Also,

House Bill No. 31,

A bill for an act to amend chapter 81 of the Laws of 1891, entitled "An act to amend section 1 of chapter 82 of the General Laws of 1887, the same being section 6153 of the Compiled Laws of 1887,"

And find the same correctly engrossed.

J. DEXTER PIERCE,
Chairman.

 SECOND READING OF HOUSE BILLS, JOINT RESOLUTIONS AND MEMORIALS.

House Bill No. 81,

A bill for an act to amend section 324 of the Code of Civil Procedure,

Was read the second time and referred to the Judiciary Committee.

House Bill No. 82,

A bill for an act to amend section 37 of chapter 62 of an act "providing for a uniform system of public schools," of the Laws of 1890,

Was read the second time and referred to the Committee on Education.

House Bill No. 83,

A bill for an act governing the alteration of county boundaries,

Was read the second time and referred to the Committee on Counties and County Boundaries.

House Bill No. 84,

A bill for an act entitled "An act to amend section 9 of chapter 40 of the Special Laws of 1883, as amended by section 3 of chapter 168 of the Laws of 1887, and section 1 of chapter 180 of the Laws of 1890, relating to the University of North Dakota,

Was read the second time and referred to the Committee on Education.

House Bill No. 85,

A bill for an act entitled "An act authorizing cities, towns and villages to place all fines, penalties and forfeitures into the general fund,"

Was read the second time and referred to the Committee on Municipal Corporations.

House Bill No. 86,

A bill for an act to amend section 201 of the Code of Civil Procedure, in relation to attachment,

Was read the second time and referred to the Judiciary Committee.

THIRD READING OF HOUSE BILLS.

House Bill No. 33,

A bill for an act to amend section 2578 of the Compiled Laws of 1887.

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 29, nays 30.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Bullard,	Johnson of Sargent,	Severson.
Caldwell,	Kelly,	Strom,
Davis,	Lee,	Thexton,
Elliott,	Levang,	Thompson,
Hagen,	Logan,	Towers,
Hallum,	McArthur,	Ueland,
Halvorson,	McCanna,	Wallen,
Haugen,	McCulloch,	Wineman,
Hodgson,	Rinde,	Mr. Speaker.
Holliday,	Sanford,	

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hurley,	Plain,
Bentley,	James,	Ritter,
Boynton,	Johnson of G'd Forks,	Satterlund,
Burkhardt,	Johnston,	Simpson,
Churchill,	McLean,	Southard,
Cochrane,	Newman,	Tufts,
Deans,	O'Keefe,	Veeder,
Ebbighausen,	Oksendahl,	Wishek,
Hall,	Oliver,	Wright,
Horgan,	Pierce,	Yegen.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Havrevold,	Larson,	Lohnes.

Messrs. Havrevold and Larson being excused.

So the bill was lost, a majority of the members-elect not voting therefor.

Mr. Ueland moved
That the House do now adjourn,
Which motion was lost.

House Bill No. 31,
A bill for an act to amend chapter 81 of the Laws of 1891,
Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

Mr. Pierce asked unanimous consent to amend the title of the bill by adding the following:

"Relating to change of venue in justices' courts,"
Which consent was given and the bill was so amended.

Mr. Speaker called Mr. Logan to the chair.

The roll being called there were ayes 54, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	James,	Ritter,
Bentley,	Johnson of Sargent,	Sanford,
Boynton,	Johnson of G'd Forks,	Satterlund,
Bullard,	Johnston,	Severson,

Messrs—	Messrs—	Messrs—
Burkhardt,	Kelly,	Simpson,
Churchill,	Lee,	Southard,
Cochrane,	Levang,	Strom,
Davis,	Logan,	Thexton,
Deans,	McCanna,	Thompson,
Ebbighausen,	McCulloch,	Towers,
Hagen,	McLean,	Tufts,
Hall,	Newman,	Ueland,
Halvorson,	O'Keefe,	Veeder,
Haugen,	Oksendahl,	Wallen,
Hodgson,	Oliver,	Wineman,
Holliday,	Pierce,	Wishek,
Horgan,	Plain,	Wright,
Hurley,	Rinde,	Yegen.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Caldwell,	Havrevold,	McArthur,
Elliott,	Larson,	Mr. Speaker.
Hallum,	Lohnes,	

Messrs. Havrevold and Larson being excused.

So the bill passed and the title was agreed to.

Mr. Boynton moved

That the House do now adjourn.

Roll call demanded.

The roll being called there were ayes 26, nays 30.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Boynton,	Horgan,	McCanna,
Bullard,	Hurley,	O'Keefe,
Davis,	James,	Oksendahl,
Deans,	Johnson, of Sargent,	Sanford,
Ebbighausen,	Johnson of G'd Perks,	Simpson,
Hall,	Johnston,	Thompson,
Halvorson,	Levang,	Towers,
Haugen,	Logan,	Ueland.
Hodgson,	McArthur,	

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Benedict,	McCulloch,	Southard,
Bentley,	McLean,	Strom,
Burkhardt,	Newman,	Thexton,
Caldwell,	Oliver,	Tufts,
Churchill,	Pierce,	Veeder,
Cochrane,	Plain,	Wallen,
Hagen,	Rinde,	Wineman,
Hallum,	Ritter,	Wishek,
Holliday,	Satterlund,	Wright,
Kelly,	Severson,	Yegen.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Elliott,	Larson,	Lohnes,
Havrevold,	Lee,	Mr. Speaker.

Messrs. Havrevold and Larson being excused.

So the motion to adjourn was lost.

House Bill No. 59,

A bill for an act to amend section 1 of chapter 22 of the Political Code of 1877, as amended by section 1 of chapter 137 of the Laws of 1881, being section 1386 of the Compiled Laws,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 53, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	James,	Sanford,
Bentley,	Johnson, of Sargent,	Satterlund,
Bullard,	Johnston,	Severson,
Burkhardt,	Kelly,	Simpson,
Caldwell,	Levang,	Southard.
Churchill,	Logan,	Strom,
Cochrane,	McArthur,	Thexton,
Davis,	McCanna,	Thompson,
Deans,	McCulloch,	Towers.
Ebbighausen,	McLean,	Tufts,
Hagen,	Newman,	Ueland,
Hall,	O'Keefe,	Veeder,
Hallum,	Oksendahl,	Wallen,
Haugen,	Oliver,	Wineman,
Hodgson,	Pierce,	Wishek,
Holliday,	Plain,	Wright,
Horgan,	Rinde,	Yegen.
Hurley,	Ritter,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Havrevold,	Lohnes,
Elliott,	Johnson, of G'd Forks,	Larson,
Halvorson,	Lee,	Mr. Speaker.

Messrs. Havrevold and Larson being excused.

So the bill passed and the title was agreed to.

Mr. McLean moved

That the House do now adjourn,

Which motion prevailed, and

The House adjourned.

J. G. HAMILTON,
Chief Clerk.

TWENTY-FIRST DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 23, 1893.

The House assembled at 12 o'clock noon pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All members present except Messrs. Larson and Towers, Messrs. Larson and Towers being excused.

The courtesies of the floor were extended to Lieutenant F. R. Day of the regular army.

Mr. Speaker appointed Messrs. Newman, Ebbighausen and Elliott a committee to notify the Senate that the House was in readiness to receive the Senate in Joint Session to ballot for a United States Senator.

The Sergeant-at-Arms announced the Lieutenant Governor, members of the Senate and officers thereof, with the House committee escorting, in waiting.

JOINT SESSION.

The Joint Session of the two Houses was called to order by the Lieutenant Governor, the President of the Senate.

The rolls of the respective Houses were called.

All the members present, except Messrs. Hillier and Lamb of the Senate, who were excused, and Messrs. Larson, McCanna and Towers of the House, Messrs. Larson and Towers being excused.

The Journal of the Joint Session of the 21st inst. was read.

Mr. Hodgson moved

That the reading of the names be dispensed with,
Which motion prevailed.

There being no objections, the Journal of the Joint Session was approved.

EIGHTEENTH BALLOT.

Mr. LaMoure moved

That the Joint Session do now proceed to take the eighteenth ballot for a United States Senator,

Which motion prevailed, and

The Joint Session proceeded to take the eighteenth ballot.

The roll being called there were 88 votes cast, of which Mr. Casey received 13, Mr. Worst 10, Mr. Muir 36, Mr. Anderson 9, Mr. Smith 10, Mr. Kingman 7, Mr. Budge 2, Mr. Walsh 1.

Those who voted for Mr. Casey were:

Messrs. Cashel, Haggart, Ink, Miller, Svensrud, White, Benedict, Bentley, Burkhardt, Davis, Newman, Southard, Wishek—13.

Those who voted for Mr. Worst were:

Messrs. Day, Fuller, Gregory, Little, McGillivray, Palmer, Boynton, Cochrane, Simpson, Yegen—10.

Those who voted for Mr. Muir were:

Messrs. Bidlake, Brynjolfson, Burke, Engle, Kinter, McCarten, McCormack, Patch, Stevens, Caldwell, Deans, Ebbighausen, Elliott, Hagen, Hall, Hallum, Hodgson, Holliday, James, Johnson of Sargent, Johnson of Grand Forks, Johnston, Kelly, Lee, Levang, Logan, McCulloch, McLean, O'Keefe, Oliver, Plain, Rinde, Sanford, Thexton, Thompson, Ueland—36.

Those who voted for Mr. Anderson were:

Messrs. Arnold, Enger, Haugen, Horgan, Lohnes, Pierce, Satterlund, Wineman, Mr. Speaker—9.

Those who voted for Mr. Smith were:

Messrs. Pinkham, Worst, Young, Bullard, Churchill, McArthur, Ritter, Severson, Tufts, Wright—10.

Those who voted for Mr. Kingman were:

Messrs. Johnson, LaMoure, Hurley, Oksendahl, Strom, Veeder, Wallen—7.

Those who voted for Mr. Budge were:

Messrs. Sorley, Halvorson—2.

Mr. Havrevold voted for Mr. Walsh.

Mr. McCanna of the House being absent and not voting.

Messrs. Hillier and Lamb of the Senate, and Messrs. Larson and Towers of the House being excused.

NINETEENTH BALLOT.

Mr. Wineman moved

That the Joint Session do now proceed to take the nineteenth ballot,

Which motion prevailed.

The roll being called there were 88 votes cast, of which Mr. Casey received 13, Mr. Worst 9, Mr. Roach 22, Mr. Muir 9, Mr. Anderson 11, Mr. Smith 11, Mr. Kingman 8, Mr. Walsh 1, Mr. LaMoure 2, Mr. Winship 1, Mr. McCormack 1.

Those who voted for Mr. Casey were:

Messrs. Cashel, Haggart, Ink, Miller, Svensrud, White, Benedict, Bentley, Burkhardt, Davis, Newman, Southard, Wishek—13.

Those who voted for Mr. Worst were:

Messrs. Day, Fuller, Gregory, Little, McGillivray, Palmer, Cochrane, Simpson, Yegen—9.

Those who voted for Mr. Roach were:

Messrs. Bidlake, Brynjolfson, Burke, Engle, Kinter, Patch, Deans, Ebbighausen, Hall, Hallum, Holliday, Horgan, James, Johnston, Kelly, McLean, O'Keefe, Plain, Rinde, Sanford, Thexton, Thompson—22.

Those who voted for Mr. Muir were:

Messrs. McCarten, Stevens, Caldwell, Elliott, Johnson, of Sargent, Levang, Logan, McCulloch, Ueland—9.

Those who voted for Mr. Anderson were:

Messrs. Arnold, Enger, Sorley, Halvorson, Haugen, Hodgson, Lee, Lohnes, Pierce, Satterlund, Mr. Speaker—11.

Those who voted for Mr. Smith were:

Messrs. Pinkham, Worst, Young, Bullard, Churchill, Hagen, McArthur, Ritter, Severson, Tufts, Wright—11.

Those who voted for Mr. Kingman were:

Messrs. Johnson, Boynton, Hurley, Oksendahl, Oliver, Strom, Veeder, Wallen—8.

Those who voted for Mr. LaMoure were:

Messrs. McCormack, Johnson of Grand Forks—2.

Mr. LaMoure voted for Mr. McCormack.

Mr. Havrevold voted for Mr. Walsh.

Mr. Wineman voted for Mr. Winship.

Mr. McCanna of the House being absent and not voting.

Messrs. Hillier and Lamb of the Senate, and Messrs. Larson and Towers of the House being excused.

Mr. Young moved

That the Joint Session do now dissolve,

Which motion prevailed, and

The Joint Session dissolved.

J. G. HAMILTON,
Clerk of the Joint Session.

HOUSE REASSEMBLED,

And proceeded with the regular order of business.

MOTIONS AND RESOLUTIONS.

Mr. Johnson of Grand Forks moved

That the vote by which House Bill No. 33 was lost be reconsidered.

Mr. Simpson moved

That the motion to reconsider be laid on the table.

Mr. Speaker decided that as there was no notice given on Saturday of a motion to reconsider the vote by which House Bill No. 33 was lost, the motion to reconsider and the motion to lie on the table out of order.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

SENATE CHAMBER, }
January 23, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith
Senate Bill No. 43,

A bill for an act to amend section 79 of article 6 of chapter 62 of the Session Laws of 1890, entitled "Education."

Also,

Senate Bill No. 37,

A bill for an act appropriating money from the State Treasury not otherwise appropriated to reimburse Hon. Andrew H. Burke, ex-Governor of the State of North Dakota, for money advanced by him to defray expenses incident to the extermination of grasshopper pests in Walsh and Grand Forks counties in the summer of 1891,

Which the Senate has passed and your favorable consideration thereof is respectfully requested.

Also,

To inform your honorable body that the Senate has concurred in the House Concurrent Resolution that a Joint Committee on Prairie Fires and Fire Breaks be appointed. The President has appointed on such committee from the Senate Senators Miller and Hillier.

Also,

I have the honor to inform your honorable body that the Senate has concurred in the House Concurrent Resolution requesting the governor to appoint a committee of three to investigate and

report to this Legislature facts relating to the investment of all moneys received from the sale or rental of school lands within this State.

Respectfully,
 FRED FALLEY,
 Secretary.

INTRODUCTION AND FIRST READING OF BILLS, JOINT RESOLUTIONS
 AND MEMORIALS.

Mr. Newman introduced—

House Bill No. 94,

A bill for an act to establish city board of health,
 Which was read the first time.

Mr. Lohnes introduced—

House Bill No. 95,

A bill for an act to encourage the live stock industry; to provide for the purchase or importation of thoroughbred stock for breeding purposes; to protect breeders and importers from unjust and exorbitant charges, and appointing a commission for the purpose of carrying the provisions of this act into effect, and appropriating funds for the furtherance thereof,

Which was read the first time.

Also,

House Bill No. 96,

A bill for an act to amend section 8 of chapter 56 of the Laws of 1891,

Which was read the first time.

Mr. Pierce introduced—

House Bill No. 97,

A bill for an act to provide for the payment of contingent expenses incurred by the Commissioner of Agriculture,

Which was read the first time.

Mr. Severson introduced—

House Bill No. 98,

A bill for an act providing for the removal of obstructions to natural waterways,

Which was read the first time.

Mr. Oliver introduced—

House Bill No. 99,

A bill for an act to amend sections 2, 5 and 13 of chapter 165 of the Laws of 1890, entitled "An act to establish government and maintenance of a soldiers' home,"

Which was read the first time.

Mr. Strom introduced—

House Bill No. 100,

A bill for an act providing for the establishment of courts of conciliation, and prescribing the mode of procedure in same,

Which was read the first time.

Mr. Wineman introduced—

House Bill No. 101,

A bill for an act entitled "An act fixing the manner of transferring interest in real estate by corporations,"

Which was read the first time.

Mr. Logan introduced—

House Bill No. 102,

A bill for an act to provide free and uniform text books throughout the several counties of the state,

Which was read the first time.

Mr. Bentley introduced—

House Bill No. 103,

A bill for an act appropriating additional money for the proper display of North Dakota's resources at the Columbian Exposition,

Which was read the first time.

Also,

House Bill No. 104,

A bill for an act to amend chapter 128 of the Session Laws of 1891, entitled "An act to provide for the collection, arrangement and display of the products of the State of North Dakota at the World's Columbian Exposition of 1893," by adding two lady commissioners to the board therein provided for, so as to better aid educational display and woman's department at the coming Columbian Exposition,

Which was read the first time.

Mr. Johnson introduced—

House Bill No. 105,

A bill for an act to amend section 2 of chapter 124 of the Laws of 1891,

Which was read the first time.

Mr. Elliott introduced—

House Bill No. 106,

A bill for an act to amend sections 117 and 118 of chapter 62 of the General Laws of 1890,

Which was read the first time.

Mr. Boynton introduced—

House Bill No. 107,

A bill for an act to amend sections 3, 4, 6 and 7 of chapter 68 of the Laws of 1885, being sections 236, 237, 239 and 240 of the Compiled Laws,

Which was read the first time.

Mr. Speaker called Mr. Oliver to the chair.

Mr. Lohnes moved

That the Anti-Option Resolution be made a special order for to-morrow, January 24, at 1:30 p. m.,

Which motion prevailed.

SECOND READING OF HOUSE BILLS, JOINT RESOLUTIONS AND MEMORIALS.

House Bill No. 88,

A bill for an act for an appropriation for the current and contingent expenses of the Hospital for the Insane at Jamestown,

Was read the second time and referred to the Committee on Appropriations.

House Bill No. 89,

A bill for an act for an appropriation for new buildings for the Asylum for the Insane at Jamestown,

Was read the second time and referred to the Committee on Appropriations.

House Bill No. 92,

A bill for an act to regulate the terms of district court to be held in the several counties constituting the Fourth Judicial District,

Was read the second time and referred to the Judiciary Committee.

House Bill No. 93,

A bill for an act to amend section 24 of chapter 132 of the Laws of 1890,

Was read the second time and referred to the Committee on Banks and Banking.

FIRST READING OF SENATE BILLS.

Senate Bill No. 37,

A bill for an act appropriating money from the State Treasury not otherwise appropriated to reimburse Hon. Andrew H. Burke, ex-Governor of the State of North Dakota, for money advanced by him to defray expenses incident to the extermination of grasshopper pests in Walsh and Grand Forks counties in the summer of 1891,

Which was read the first time.

Senate Bill No. 43,

An act to amend section 79 of article 6, chapter 62, Laws of 1890,

Was read the first time.

Mr. Cochrane moved

That the House do now adjourn,

Which motion was lost.

Mr. Speaker called Mr. Oliver to the chair.

Mr. Wineman raised the point of order that the motion of Mr. Johnson, of Grand Forks, to reconsider the vote by which House Bill No. 33 was lost was in order,

Which point of order was decided not well taken.

Mr. Wineman appealed from the decision of the chair, and the question being: Shall the decision of the chair be sustained?

Roll call demanded.

The roll being called there were ayes 30, nays 28.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Havrevold,	Sanford,
Bentley,	Horgan,	Satterlund,
Bullard,	Hurley,	Simpson,
Burkhardt,	James,	Southard,
Churchill,	McLean,	Tufts,
Cochrane,	Newman,	Veeder,
Davis,	Oksendahl,	Wishek,
Deans,	Pierce,	Wright,
Ebbighausen,	Plain,	Yegen,
Hall,	Ritter,	Mr. Speaker.

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Caldwell,	Johnston,	O'Keefe,
Elliott,	Kelly,	Rinde,
Hagen,	Lee,	Severson,
Hallum,	Levang,	Strom,
Halvorson,	Logan,	Thexton,
Haugen,	Lohnes,	Thompson,
Hodgson,	McArthur,	Ueland,
Holliday,	McCanna,	Wallen,
Johnson of Sargent,	McCulloch,	Wineman.
Johnson, Gr'nd F'rks,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Oliver,	Towers.
Larson,		

Messrs. Larson and Towers being excused.

So the decision of the chair was sustained.

Mr. Simpson moved
That the House do now adjourn,
Which motion prevailed, and
The House adjourned.

J. G. HAMILTON,
Chief Clerk.

TWENTY-SECOND DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 24, 1893.

The House assembled at 12 o'clock noon, pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All members present except Mr. Towers, who was excused.

The committee to examine and correct the Journal made the following report:

MR. SPEAKER:

Your committee appointed to revise and correct the Journal have examined the same, and report the Journal of the House proceedings of the 15th, 16th, 17th, 18th and 19th days to be correct.

D. C. TUFTS,
Chairman.

There being no objections the report of the committee was adopted.

Mr. Speaker appointed Messrs. Wishek, McLean and Hagen a committee to notify the Senate that the House was in readiness to receive the Senate in Joint Session to ballot for a United States Senator.

The courtesies of the floor were extended to Judge Wing, Messrs. A. R. McCulloch, Young, Trenholm, Watts, Vallandigham, Kenney, Henry McCarten and Byron Boner.

The Sergeant-at-Arms announced the Lieutenant Governor, members of the Senate and officers thereof, with the House Committee escorting, in waiting.

JOINT SESSION.

The Joint Session of the two Houses was called to order by the Lieutenant Governor, the President of the Senate.

The rolls of the respective Houses were called.

All members present except Mr. Hillier of the Senate and Mr. Towers of the House, who were excused.

The Journal of the Joint Session of the 23d inst. was read.

Mr. Palmer moved

That the reading of the names be dispensed with,
Which motion prevailed.

There being no objections, the Journal of the Joint Session was approved.

TWENTIETH BALLOT.

Mr. Hodgson moved

That the Joint Session do now proceed to take the twentieth ballot for a United States Senator,

Which motion prevailed.

The roll being called there were 91 votes cast, of which Mr. Casey received 12, Mr. Worst 8, Mr. Roach 23, Mr. Muir 16, Mr. Anderson 6, Mr. Smith 11, Mr. Kingman 11, Mr. Walsh 3, Mr. Johnson 1.

Those who voted for Mr. Casey were:

Messrs. Cashel, Haggart, Ink, Miller, Svensrud, White, Benedict, Bentley, Davis, Newman, Southard, Wishek—12.

Those who voted for Mr. Worst were:

Messrs. Fuller, Gregory, Little, McGillivray, Palmer, Cochrane, Simpson, Yegen—8.

Those who voted for Mr. Roach were:

Messrs. Bidlake, Brynjolfson, Burke, Engle, Kinter, McCormack, Patch, Deans, Ebbighausen, Hall, Hallum, Holliday, Horgan, James, Johnson of Grand Forks, Johnston, Kelly, McCanna, McLean, O'Keefe, Plain, Sanford, Thexton—23.

Those who voted for Mr. Muir were:

Messrs. Lamb, McCarten, Stevens, Caldwell, Elliott, Hagen, Hodgson, Johnson of Sargent, Lee, Levang, Logan, Lohnes, McCulloch, Rinde, Thompson, Ueland—16.

Those who voted for Mr. Anderson were:

Messrs. Arnold, Enger, Sorley, Halvorson, Haugen, Pierce—6.

Those who voted for Mr. Smith were:

Messrs. Day, Pinkham, Worst, Young, Bullard, Churchill, McArthur, Ritter, Severson, Tufts, Wright—11.

Those who voted for Mr. Kingman were:

Messrs. Johnson, LaMoure, Hurley, Larson, Oksendahl, Oliver, Satterlund, Strom, Veeder, Wallen, Mr. Speaker—11.

Those who voted for Mr. Walsh were:

Messrs. Boynton, Burkhardt, Havrevold—3.

Mr. Wineman voted for Mr. A. G. Johnson.

Messrs. Hillier and Towers being excused.

TWENTY-FIRST BALLOT.

Mr. Ebbighausen moved

That the Joint Session do now proceed to take the twenty-first ballot for a United States Senator,

Which motion prevailed.

The roll being called there were 91 votes cast, of which Mr. Casey received 13, Mr. Worst 7, Mr. Roach 21, Mr. Muir 13, Mr. Anderson 8, Mr. Smith 13, Mr. Kingman 11, Mr. Walsh 1, Mr. A. G. Johnson 4.

Those who voted for Mr. Casey were:

Messrs. Cashel, Haggart, Ink, Miller, Svensrud, White, Benedict, Bentley, Burkhardt, Davis, Newman, Southard, Wishek—13.

Those who voted for Mr. Worst were:

Messrs. Fuller, Gregory, Little, McGillivray, Cochrane, Simpson, Yegen—7.

Those who voted for Mr. Roach were:

Messrs. Bidlake, Brynjolfson, Burke, Engle, Kinter, McCormack, Patch, Deans, Ebbighausen, Hall, Hallum, Holliday, Horgan, James, Johnston, Kelly, McLean, O'Keefe, Plain, Sanford, Thexton—21.

Those who voted for Mr. Muir were:

Messrs. McCarten, Stevens, Caldwell, Elliott, Hagen, Johnson of Sargent, Levang, Lohnes, McCanna, McCulloch, Rinde, Thompson, Ueland—13.

Those who voted for Mr. Anderson were:

Messrs. Arnold, Enger, Lamb, Sorley, Haugen, Hodgson, Lee, Pierce—8.

Those who voted for Mr. Smith were:

Messrs. Day, LaMoure, Palmer, Pinkham, Young, Bullard, Churchill, Logan, McArthur, Ritter, Severson, Tufts, Wright—13.

Those who voted for Mr. Kingman were:

Messrs. Johnson, Worst, Boynton, Hurley, Larson, Oksendahl, Satterlund, Strom, Veeder, Wallen, Mr. Speaker—11.

Those who voted for Mr. A. G. Johnson were:
Messrs. Halvorson, Johnson of Grand Forks, Oliver, Wine-
man—4.

Mr. Havrevold voted for Mr. Walsh.

Mr. Wineman moved
That the Joint Session do now dissolve,
Which motion prevailed, and
The Joint Session dissolved.

J. G. HAMILTON,
Clerk of the Joint Session.

The House reassembled and proceeded to the regular order of
business.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Cochrane presented the following petition:

To the Honorable Legislative Assembly of North Dakota:

We, the undersigned, owners of stallions in Kidder county, State of North Dakota, do respectfully petition and urge your honorable body to so amend section 3 (three) of an act to protect stock raisers and promote the breeding of improved live stock within the State of North Dakota, and to provide a lien for the service of sires, passed by the last Legislature and approved March 6, 1891, that owners of registered sires may have 12½ (twelve and a half) months after service of sire in which to file a lien on females served, in support of which we would state:

1. That 50 (fifty) per cent. of mares and other stock, bred to registered sires, are bred "to insure female with foal," and that a majority of said females are bred during the months of May and June, making the 8 (eight) month limit, under the present law, in which liens can be filed in December and January, winter months in this State, during which it is impossible by personal inspection to determine what females are in foal, and, inasmuch as we do not consider it good business policy to file liens on all females served irrespective of their being in foal or not, the law as it now stands is not effective in securing us.

2. We state that 40 (forty) per cent. of females served by registered sires are bred "to insure a living foal," and inasmuch as, by the terms of contract, the fee is not due until a living foal is produced, any lien filed before the fulfillment of the contract is null and void, and has so been determined by the supreme court of New Jersey. Thus the law as it now stands is in this case absolutely of no avail.

All of which is respectfully submitted, and we trust will have the consideration of your body.

JOHN C. TAYLOR,
W. D. TAYLOR,
E. H. SHARP,
DANIEL J. BARKER,
JOHN C. KRAFTHEFER.

Dawson, N. D., January 5, 1893.

Which was referred to the Committee on Agriculture.

REPORTS OF STANDING COMMITTEES.

The Judiciary Committee made the following report:

MR. SPEAKER:

Your Judiciary Committee, to whom was referred
House Bill No. 23,

A bill for an act to amend sections 2, 3, 4, 5 and 6 of chapter 81, Session Laws of 1890, relating to the boundaries and subdivisions of the First Judicial District, and fixing the terms of court to be held therein,

Have had the same under consideration, and recommend that the same be amended as follows:

After the words "commencing on," in the sixth line of section 2 of the printed bill, strike out the words "the third Tuesday in January," and insert in lieu thereof the words "the first Tuesday in December."

After the words "on the," in the fifth line of section 4 of the printed bill, strike out the words "second Tuesday of May and the second Tuesday of December," and insert in lieu thereof the words "first Monday of April and the third Monday of November."

In line five of section 5 of printed bill, after word "on," strike out the word "first" and insert in lieu thereof the word "third." Also in line six of same section, strike out the word "March," and insert in lieu thereof the word "May."

In lines five and six, section 6 of printed bill, strike out the words "third Tuesday in March," and in lieu thereof insert "fourth Monday in May." Also strike out the words "third Tuesday in November" in same, and insert in lieu thereof the words "second Monday in November."

And when so amended, recommend that the same do pass.

SETH NEWMAN,
Chairman.

Mr. Wineman moved

That the report of the Judiciary Committee be adopted,
Which motion prevailed.

The Committee on State Affairs made the following report:

MR. SPEAKER:

Your Committee on State Affairs, to whom was referred
House Bill No. 49,

A bill for an act to authorize and regulate within this State the business of commercial agencies, credit companies and guarantee associations,

Have had the same under consideration and recommend that the same do pass.

L. A. UELAND,
Chairman.

There being no objection the report was adopted.

INTRODUCTION AND FIRST READING OF HOUSE BILLS, JOINT RESOLUTIONS AND MEMORIALS.

Mr. Newman introduced—

House Bill No. 108,

A bill for an act to provide for the collection of vital statistics,
Which was read the first time.

Mr. Simpson introduced—

House Bill No. 109,

A bill for an act to define the boundaries of the counties of
North Dakota,

Which was read the first time.

Mr. Hurley introduced—

House Bill No. 110,

A bill in relation to persons and corporations offering
premiums for testing the speed of horses, and to prevent the
fraudulent entering of horses to compete for such premiums,

Which was read the first time.

Mr. McCanna introduced—

House Bill No. 111,

A bill for an act providing that non-residents shall give bonds
and procure certificates of authority before transacting any grain
commission or brokerage business in the State of North Dakota,

Which was read the first time.

Mr. Walsh introduced—

House Bill No. 112,

A bill for an act authorizing County Commissioners to use
moneys belonging to road and bridge funds for reclaiming waste
lands, etc.,

Which was read the first time.

Mr. Johnson introduced—

House Bill No. 113,

A bill for an act defining the liabilities of railroad corporations
for stock killed or injured by trains operated by them,

Which was read the first time.

Mr. Hagen introduced—

House Bill No. 114,

A bill for an act for the acquisition of land for township ceme-
teries,

Which was read the first time.

Mr. Wineman introduced—

House Bill No. 115,

A bill for an act to amend section 56 of the Code of Civil Pro-
cedure, being section 4852 of the Compiled Laws,

Which was read the first time.

Mr. Southard introduced—

House Bill No. 116,

A bill for an act entitled "An act to amend section 487 of the Compiled Laws, relating to the administration of oaths,"

Which was read the first time.

Mr. Wishek introduced—

House Bill No. 117,

A bill for an act to amend sections 56, 57 and 58 of chapter 132 of the Laws of 1890, entitled "An act prescribing the mode of making assessment, and the levy and collection of taxes, and for other purposes relative thereto, in relation to the collection of personal taxes by judgment,"

Which was read the first time.

Mr. Kelly introduced—

House Bill No. 118,

A bill for an act to amend section 5416 of the Compiled Laws of 1887, being section 602 of the Code of Civil Procedure,

Which was read the first time.

SECOND READING OF HOUSE BILLS, JOINT RESOLUTIONS AND MEMORIALS.

House Bill No. 90,

A bill for an act to amend article 16 of chapter 73 of the Laws of 1887, being sections 1000, 1001, 1002 to 1007, inclusive, of the Compiled Laws of the State of North Dakota, and to re-enact the same as so amended,

Was read the second time and referred to the Committee on Municipal Corporations.

House Bill No. 91,

A bill for an act to provide for the provisional remedy of garnishment in civil actions,

Was read the second time and referred to the Judiciary Committee.

House Bill No. 94,

A bill for an act to establish city boards of health,

Was read the second time and referred to the Committee on Public Health.

House Bill No. 95,

A bill for an act to encourage the live stock industry; to provide for the purchase or importation of thoroughbred stock for breeding purposes; to protect breeders and importers from unjust and exorbitant charges, and appointing a commission for the purpose of carrying the provisions of this act into effect, and appropriating funds for the furtherance thereof,

Was read the second time and referred to the Committee on Agriculture.

House Bill No. 96,

A bill for an act to amend section 8 of chapter 56 of the Laws of 1891,

Was read the second time and referred to the Committee on Education.

House Bill No. 97,

A bill for an act to provide for the payment of contingent expenses incurred by the Commission of Agriculture,

Was read the second time and referred to the Committee on Appropriations.

House Bill No. 98,

A bill for an act providing for the removal of obstructions to natural waterways,

Was read the second time and referred to the Committee on Agriculture.

House Bill No. 99,

A bill for an act to amend sections 2, 5 and 13 of chapter 165 of the Laws of 1890, entitled "An act to establish government and maintenance of a soldiers' home,"

Was read the second time and referred to the Judiciary Committee.

House Bill No. 101,

A bill for an act entitled "An act fixing the manner of transferring interest in real estate by corporations,"

Was read the second time and referred to the Judiciary Committee.

House Bill No. 102,

A bill for an act to provide free and uniform text books throughout the several counties of the state,

Was read the second time and referred to the Committee on Education.

House Bill No. 106,

A bill for an act to amend sections 117 and 118 of chapter 62 of the General Laws of 1890,

Was read the second time and referred to the Committee on Education.

Mr. Speaker appointed Messrs. Yegen, Veeder and Boynton on Joint Committee on Firebreaks.

Mr. Oliver moved

That the House do now take a recess for 15 minutes,
Which motion prevailed.

The House reassembled.

CONSIDERATION OF SPECIAL ORDERS.

The hour having arrived for the consideration of the anti-option resolution made a special order for 1:30 p. m.,

Mr. Hurley moved

That the anti-option resolution lie on the table.

Mr. Oliver demanded a call of the House.

Call seconded.

Roll called.

All members present except Messrs. Davis and Towers, who were excused.

The question recurring upon the motion to lie on the table,
Roll call demanded.

The roll being called there were ayes 32, nays 28.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hurley,	Pierce,
Burkhardt,	James,	Ritter,
Churchill,	Johnson of G'd Forks,	Satterlund,
Deans,	Johnston,	Severson,
Ebbighausen,	Kelly,	Southard,
Hall,	Larson,	Veeder,
Hallum,	Lee,	Wishek,
Halvorson,	Newman,	Wright.
Havrevold,	O'Keefe,	Yegen,
Holliday,	Oksendahl,	Mr. Speaker.
Horgan,	Oliver,	

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Bentley,	Levang,	Sanford,
Boynton,	Logan,	Simpson,
Bullard,	Lohnes,	Strom,
Caldwell,	McArthur,	Thexton,
Cochrane,	McCanna,	Thompson,
Elliott,	McCulloch,	Tufts.
Hagen,	McLean,	Ueland,
Haugen,	Plain,	Wallen,
Hodgson,	Rinde,	Wineman.
Johnson of Sargent,		

Messrs. Davis and Towers being excused.

So the motion to lay the special order upon the table prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, January 24, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith the following Concurrent Resolution:

CONCURRENT RESOLUTION.

Be it Resolved by the Senate, the House of Representatives concurring:
That a joint committee of seven be appointed, three from the Senate and four from the House, for the purpose of reviewing and proposing amendments, if thought necessary, to the Australian system of voting,

Which the Senate has adopted and your concurrence therein is respectfully requested.

FRED FALLEY,
Secretary.

Mr. Strom moved

That the resolution from the Senate be concurred in by the House,

Which motion prevailed.

SECOND READING OF SENATE BILLS.

Senate Bill No. 37,

A bill for an act appropriating money from the State Treasury not otherwise appropriated to reimburse Hon. Andrew H. Burke, ex-Governor of the State of North Dakota, for money advanced by him to defray expenses incident to the extermination of grasshopper pests in Walsh and Grand Forks counties in the summer of 1891,

Was read the second time and referred to the Committee on Appropriations.

Senate Bill No. 43,

A bill for an act to amend section 79 of article 6, chapter 62, Laws of 1890,

Was read the second time and referred to the Committee on Education.

CONSIDERATION OF SPECIAL ORDERS.

The hour having arrived for the consideration of House Bill No. 47, made a special order for 3 o'clock p. m.,

Mr. Oliver moved

That the House do now resolve itself into the Committee of the Whole for the purpose of considering House Bill No. 47,

Which motion prevailed.

Mr. Speaker called Mr. Ueland to the chair.

When the committee arose the following report was presented:

MR. SPEAKER:

Your Committee of the Whole have had under consideration House Bill No. 47,

A bill for an act to appoint a board of boiler inspection and defining their duties with registering of those operating and working on steam boilers,

And recommend that the bill be amended as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. That chapter 27 of the Laws of 1890, being an act to establish a board of inspectors for steam vessels and steam boilers, and to provide for licensing engineers of steam engines, be and the same is hereby repealed,

And when so amended that the bill do pass.

L. A. UELAND,
Chairman.

Mr. Strom moved

That the report of the Committee of the Whole be laid on the table,

Which motion was lost.

Mr. Ueland moved

That the report of the Committee of the Whole be referred to the Committee on Agriculture,

Which motion was lost.

Mr. Oliver moved

That the report of the Committee of the Whole be adopted,

Which motion prevailed, and

The report of the Committee of the Whole was adopted.

Mr. Wineman moved

That the House do now adjourn,

Which motion prevailed,

And the House adjourned.

J. G. HAMILTON,
Chief Clerk.

TWENTY-THIRD DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 25, 1893.

The House assembled at 12 o'clock noon pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All members present except Mr. Oliver, who subsequently appeared.

COMMUNICATION FROM THE GOVERNOR.

The following message was received from the Governor:

EXECUTIVE CHAMBER, }
January 24, 1893. }

To the Honorable House of Representatives:

GENTLEMEN: Pursuant to Concurrent Resolution of January 23, requesting me to appoint a committee of three expert accountants, whose duty it shall be to investigate and report to the Legislative Assembly all facts relating to the investment of all moneys received from the sale or rental of school lands within this State, I have the honor to inform you that, reposing confidence in the integrity and ability of Robert E. Wallace, Public Examiner; Andrew Blewett, Jamestown; William E. Parsons, Grand Forks, I do hereby appoint each of them a member of said committee.

Very respectfully,

E. C. D. SHORTRIDGE,
Governor.

The committee to examine and correct the Journal made the following report:

MR. SPEAKER:

Your committee to revise and correct the Journal, have examined the House proceedings of the 21st day, and recommend the following correction be made:

After the words "all members present except," strike out "McCanna," and with this correction, recommend the approval of the Journal.

D. C. TUFTS,
Chairman.

There being no objections the report of the committee was adopted and the Journal approved.

Mr. Speaker appointed Messrs. Boynton, Bullard and Johnson a committee to notify the Senate that the House was in readiness to receive the Senate in Joint Session to ballot for a United States Senator.

The Sergeant-at-Arms announced the Lieutenant Governor, members of the Senate and officers thereof, with the House Committee escorting, in waiting.

JOINT SESSION.

The Joint Session of the two Houses was called to order by the Lieutenant Governor, the President of the Senate.

The rolls of the respective Houses were called.

All members present except Mr. Hillier of the Senate, who was excused.

The Journal of the Joint Session of the 24th inst. was read.

Mr. Hagen moved

That the reading of the names be dispensed with,
Which motion prevailed.

There being no objections, the Journal of the Joint Session was approved.

Mr. Brynjolfson moved

That a committee of three be appointed by the chair to draft resolutions expressive of our sorrow over the death of L. Q. C. Lamar of the Supreme Court of the United States.

Mr. White moved

The adoption of the resolution,
Which motion prevailed, and

The President appointed as such committee Messrs. Brynjolfson and Burke of the Senate and Mr. Newman of the House.

Mr. Svensrud moved

That the Joint Session do now proceed to take the twenty-second ballot for a United States Senator,

Which motion prevailed,

And the Joint Session proceeded to take the twenty-second ballot.

TWENTY-SECOND BALLOT.

The roll being called there were 91 votes cast, of which Mr.

Casey received 15, Mr. Worst 4, Mr. Muir 2, Mr. Anderson 1, Mr. Kingman 15, Mr. Walsh 4, Mr. Johnson 2, Mr. Benton 44, Mr. Kellogg 1, Mr. Plummer 3.

Those who voted for Mr. Casey were:

Messrs. Cashel, Haggart, Ink, Miller, Palmer, Svensrud, White, Benedict, Bentley, Burkhardt, Davis, Newman, Southard, Veeder, Wishek—15.

Those who voted for Mr. Worst were:

Messrs. Gregory, Little, Cochrane, Yegen—4.

Those who voted for Mr. Muir were:

Messrs. Hagen, Lohnes—2.

Those who voted for Mr. Kingman were:

Messrs. Arnold, Day, Fuller, Johnson, McGillivray, Worst, Young, Haugen, Hurley, Larson, Simpson, Strom, Wallen, Wright, Mr. Speaker—15.

Those who voted for Mr. Plummer were:

Messrs. Boynton, Satterlund, Tufts—3.

Those who voted for Mr. Walsh were:

Messrs. Havrevold, Oksendahl, Pierce, Wineman—4.

Mr. Enger voted for Mr. Anderson.

Mr. LaMoure voted for Mr. Kellogg.

Those who voted for Mr. Johnson were:

Messrs. Halvorson, Sorley—2.

Those who voted for Mr. Benton were:

Messrs. Bidlake, Brynjolfson, Burke, Engle, Kinter, Lamb, McCarten, McCormack, Patch, Pinkham, Stevens, Bullard, Caldwell, Churchill, Deans, Ebbighausen, Elliott, Hall, Hallum, Hodgson, Holliday, Horgan, James, Johnson of Sargent, Johnson of Grand Forks, Johnston, Kelly, Lee, Levang, Logan, McArthur, McCanna, McCulloch, McLean, O'Keefe, Plain, Rinde, Ritter, Sanford, Severson, Thexton, Thompson, Towers, Ueland—44.

Mr. Hillier being excused.

Mr. Oliver being absent.

Mr. McLean moved

That the Joint Session do now proceed to take the twenty-third ballot for a United States Senator,

Which motion prevailed.

The roll being called,

Mr. Little demanded a call of the House.

Call seconded.

Mr. Burke made the point of order that a call of the House was out of order while a vote was being taken,

Which point of order was decided to be well taken.

TWENTY-THIRD BALLOT.

The roll being called there were 91 votes cast, of which Mr. Casey received 14, Mr. Worst 6, Mr. Muir 1, Mr. Anderson 2, Mr. Smith 15, Mr. Walsh 6, Mr. Kellogg 1, Mr. Plummer 3, Mr. Benton 43.

Those who voted for Mr. Casey were:

Messrs. Cashel, Haggart, Ink, Miller, Palmer, Svensrud, White, Benedict, Bentley, Burkhardt, Davis, Newman, Southard, Wishek—14.

Those who voted for Mr. Worst were:

Messrs. Gregory, Little, McGillivray, Cochrane, Simpson, Yegen—6.

Those who voted for Mr. Anderson were:

Messrs. Halvorson, Pierce—2.

Those who voted for Mr. Smith were:

Messrs. Arnold, Day, Fuller, Johnson, Worst, Young, Bullard, Haugen, Hurley, Larson, Ritter, Strom, Wallen, Wright, Mr. Speaker—15.

Those who voted for Mr. Walsh were:

Messrs. Sorley, Havrevold, Lohnes, Oksendahl, Veeder, Wine-
man—6.

Those who voted for Mr. Plummer were:

Messrs. Boynton, Satterlund, Tufts—3.

Mr. Hagen voted for Mr. Muir.

Mr. LaMoure voted for Mr. Kellogg.

Those who voted for Mr. Benton were:

Messrs. Bidlake, Brynjolfson, Burke, Enger, Engle, Kinter, Lamb, McCarten, McCormack, Patch, Pinkham, Stevens, Churchill, Caldwell, Deans, Ebbighausen, Elliott, Hall, Hallum, Hodgson, Holliday, Horgan, James, Johnson of Sargent, Johnson of Grand Forks, Johnston, Kelly, Lee, Levang, Logan, McArthur, McCanna, McCulloch, McLean, O'Keefe, Plain, Rinde, Sanford, Severson, Thexton, Thompson, Towers, Ueland—43.

Mr. Hillier being excused.

Mr. Oliver being absent.

Mr. Gregory demanded a call of the Joint Assembly.

Call seconded.

The Lieutenant Governor, the President of the Joint Assembly, directed the Sergeant-at-Arms to close the doors and allow no member to pass out. Then directed the Clerk of the Joint Assembly to call the rolls.

Mr. McCormack demanded a verification of the twenty-third ballot for United States Senator.

Mr. Little raised the point of order that the call of the House demanded by Mr. Gregory was the only question properly before the Joint Assembly, as the President had announced the result of the twenty-third ballot; that no objection had been made; that he had instructed the Sergeant-at-Arms to close the doors, and directed the Clerk of the Joint Assembly to call the rolls of the respective Houses on the demand for a call of the Joint Assembly.

Mr. McCormack announced that he withdrew his demand for a verification of the twenty-third ballot and that he would file a protest.

Mr. Wineman demanded that the lobby be cleared, and that members of the Joint Assembly be allowed to vote as they pleased.

The President of the Joint Assembly directed the Sergeant-at-Arms to clear the lobby and permit no member of the Joint Assembly to leave the hall.

Mr. Johnson of Traill moved

That further proceedings under the call be dispensed with.

The President of the Joint Assembly announced that he would entertain the motion when he decided the point of order raised by Mr. Little.

Mr. President decided the point of order raised by Mr. Little well taken, and that Mr. McCormack's demand for a verification of the twenty-third ballot was out of order.

The question being

Shall further proceedings under the call be dispensed with,

The motion prevailed.

Mr. Cashel moved

That the Joint Session do now dissolve.

Roll call demanded.

The roll being called there were ayes 46, nays 46.

Those who voted in the affirmative were:

Messrs—

Arnold,
Cashel,
Day,
Gregory,
Haggart,
Ink,
Johnson,
Little,
LaMoure,
McGillivray,
Miller,
Palmer,
Sorley,

Messrs—

White,
Young,
Benedict,
Bentley,
Boynton,
Burkhardt,
Cochrane,
Davis,
Halvorson,
Haugen,
Havrevold,
Hurley,
Larson,

Messrs—

Oksendahl,
Oliver,
Pierce,
Satterlund,
Simpson,
Southard,
Strom,
Towers,
Tufts,
Veeder,
Wallen,
Wineman,
Wishek,

Messrs.	Messrs.	Messrs.
Stevens.	Lohnes,	Yegen,
Svensrud,	Newman,	Mr. Speaker.
Worst,		

Those voting in the negative were:

Messrs—	Messrs—	Messrs—
Bidlake,	Ebbighausen,	Logan,
Brynjolfson,	Elliott,	McArthur.
Burke,	Hagen,	McCanna,
Enger,	Hall,	McCulloch,
Engle,	Hallum,	McLean,
Fuller,	Hodgson,	O'Keefe,
Kinter,	Holliday,	Plain,
Lamb,	Horgan,	Rinde,
McCarten,	James,	Ritter,
McCormack,	Johnson of Sargent,	Sanford,
Patch,	Johnson of G'd Forks,	Severson,
Pinkham,	Johnston,	Thexton,
Bullard,	Kelly,	Thompson,
Caldwell,	Lee,	Ueland,
Churchill,	Levang,	Wright.
Deans,		

Mr. Hillier of the Senate being excused.

And so the motion to dissolve the Joint Session was lost.

Mr. McCanna moved

That the Joint Session do now proceed to take the twenty-fourth ballot for a United States Senator,

Which motion prevailed, and

The Joint Session proceeded to take the twenty-fourth ballot.

TWENTY-FOURTH BALLOT.

The roll being called there were 92 votes cast, of which Mr. Casey received 15, Mr. Worst 21, Mr. Anderson 3, Mr. Muir 4, Mr. Smith 1, Mr. Benton 43, Mr. Plummer 2, Mr. Walsh 3.

Those who voted for Mr. Casey were:

Messrs. Cashel, Haggart, Ink, Miller, Palmer, Svensrud, White, Benedict, Bentley, Burkhardt, Davis, Newman, Pierce, Southard, Wishek—15.

Those who voted for Mr. Worst were:

Messrs. Arnold, Day, Fuller, Gregory, Johnson, Little, LaMoure, McGillivray, Young, Cochrane, Haugen, Havrevold, Hurley, Larson, Oliver, Simpson, Strom, Wallen, Wright, Yegen, Mr. Speaker—21.

Those who voted for Mr. Muir were:

Messrs. Stevens, Hagen, Logan, Lohnes—4.

Those who voted for Mr. Anderson were:

Messrs. Sorley, Worst, Halvorson—3.

Those who voted for Mr. Plummer were:

Messrs. Boynton, Satterlund—2.

Those who voted for Mr. Walsh were:
Messrs. Oksendahl, Veeder, Wineman—3.

Mr. Tufts voted for Mr. Smith.

Those who voted for Mr. Benton were:

Messrs. Bidlake, Brynjolfson, Burke, Enger, Engle, Kinter, Lamb, McCarten, McCormack, Patch, Pinkham, Bullard, Caldwell, Churchill, Deans, Ebbighausen, Elliott, Hall, Hallum, Hodgson, Holliday, Horgan, James, Johnson of Sargent, Johnson of Grand Forks, Johnston, Kelly, Lee, Levang, McArthur, McCanna, McCulloch, McLean, O'Keefe, Plain, Rinde, Ritter, Sanford, Severson, Thexton, Thompson, Towers, Ueland—43.

Mr. Hillier being excused.

Mr. LaMoure moved
That the Joint Session do now dissolve.

Roll call demanded.

The roll being called there were ayes 55, nays 35.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Arnold,	Young,	Oksendahl,
Cashel,	Benedict,	Oliver,
Day,	Bentley,	Pierce,
Fuller,	Boynton,	Ritter,
Gregory,	Burkhardt,	Satterlund,
Haggart,	Cochrane,	Severson,
Ink,	Davis,	Simpson,
Johnson,	Ebbighausen,	Southard,
Little,	Halvorson,	Strom,
LaMoure,	Haugen,	Thexton,
McGillivray,	Havrevold,	Tufts,
Miller,	Hurley,	Veeder,
Palmer,	Johnson of Sargent,	Wallen,
Pinkham,	Johnston,	Wineman,
Sorley,	Larson,	Wishek,
Stevens,	Lohnes,	Wright.
Svensrud,	Newman,	Yegen,
Worst,	O'Keefe,	Mr. Speaker.
White,		

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Bidlake,	Deans,	Levang,
Brynjolfson,	Elliott,	Logan,
Burke,	Hagen,	McArthur,
Enger,	Hall,	McCanna,
Engle,	Hallum,	McCulloch,
Kinter,	Hodgson,	McLean,
Lamb,	Holliday,	Plain,
McCormack,	Horgan,	Rinde,
Patch,	James,	Sanford,
Bullard,	Johnson of G'd Forks,	Thompson,
Caldwell,	Kelly,	Ueland.
Churchill,	Lee,	

Absent and not voting:

Messrs— Hillier, Messrs— McCarten, Messrs— Towers.

Mr. Hillier being excused.

So the motion to dissolve the Joint Session prevailed, and
The Joint Session dissolved.

J. G. HAMILTON,
Clerk of the Joint Session.

House reassembled.

Mr. Speaker presented the following:

At the request of the chairmen of several of the House Committees who ask that two assistant janitors be appointed for committee rooms, I appoint as such janitors Clinton Patterson of Kidder county and W. S. Moorhouse of Burleigh county, and as assistant enrolling and engrossing clerks, to fill vacancies, Daniels of Traill county, in place of Mr. Larson, deceased, and Benna Eyford of Pembina county, in place of B. Hennessy, removed, the latter appointment to take effect January 18; and Ormsby McHarg of Stutsman county.

Respectfully,
GEO. H. WALSH,
Speaker.

Mr. Johnson of Grand Forks moved
That the House do now adjourn,
Which motion prevailed, and
The House adjourned.

J. G. HAMILTON,
Chief Clerk.

TWENTY-FOURTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 26, 1893.

The House assembled at 12 o'clock noon pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All members present except Messrs. Caldwell, Hagen and Towers. Messrs. Caldwell and Hagen being excused.

The committee to examine and correct the Journal made the following report:

MR. PRESIDENT:

Your committee to revise and correct the Journal have examined the same and report the Journal of the House proceedings of the 22d and 23d days to be correct.

D. C. TUFTS,
Chairman.

There being no objections the report of the committee was adopted and the Journal approved.

COMMUNICATIONS FROM THE GOVERNOR.

The following communication was received from the Governor:

EXECUTIVE CHAMBER, }
January 26, 1893. }

To the Honorable House of Representatives

GENTLEMEN—I have the honor to transmit herewith a copy of a communication from the Governor of California, and earnestly solicit your consideration of the same, as it refers to a subject I deem of general interest.

Respectfully,
E. C. D. SHORTRIDGE,
Governor.

EXECUTIVE DEPARTMENT,
Sacramento, Cal., January 12, 1893.

SIR—In accordance with the resolution of the legislature of the state of California, I hereby inform you that at the general election in this state, held

on the 8th day of November, A. D. 1892, an act to ascertain an expression of the good will of the people of the State of California upon the subject of the election of United States senators, was submitted to the qualified voters of the state of California, and that the vote thereon was 187,987 in favor of the election of United States senators by the direct vote of the people, and 13,342 against the election of such senators by the direct vote of the people.

In witness whereof, I have hereunto set my hand and caused the great seal of the state to be affixed at Sacramento this 10th day of January, A. D. 1893.
[Great Seal.]

H. H. MARKHAM,
Governor.

Attest:
E. G. WAITE,
Secretary of State.

Also,

BISMARCK, January 26, 1893.

To the Honorable House of Representatives:

GENTLEMEN—I have the honor to transmit herewith for your consideration a copy of Joint Resolution from the Legislative Assembly of Vermont, forwarded to me with the request that the same be brought to the notice of your honorable body.

In connection with the above, I desire to call your attention to the fact that, being a border State, we are placed in more than ordinary danger of infectious diseases being brought into our midst, especially should there occur during the ensuing year an epidemic which, from all medical and scientific reports, I am led to believe may occur; and in view of the fact that we have no funds available for emergencies of this kind, I would deem it a wise precaution to appropriate a sum you may deem sufficient for use in case it is needed.

Respectfully,
E. C. D. SHORTRIDGE,
Governor.

JOINT RESOLUTION RELATING TO THE IMMIGRATION OF
PAUPERS AND DEPENDENT PERSONS.

Resolved, by the Senate and House of Representatives: That the Senate and House of Representatives of the State of Vermont respectfully request the Congress of the United States and the legislative departments of the several States to enact laws establishing a uniform policy of immigration from foreign nations and of migration from State to State of persons who are dependent upon charity and are of idle or vicious habits.

Resolved, That the Secretary of State be requested to transmit copies of the foregoing resolution to the presiding officers of both houses of Congress of the United States, to each of the Senators and Representatives therein from this State, and to the Governors of the several States of the United States.

WILLIAM W. STICKNEY,
Speaker of the House of Representatives.

[Great Seal of Vermont.]

F. STEWART STRANAHAN,
President of the Senate.

A true copy. Attest:
CHAUNCEY W. BROWNELL,
Secretary of State.

Mr. Speaker appointed Messrs. Veeder, Tufts and James a committee to notify the Senate that the House was in readiness to receive the Senate in Joint Session to ballot for a United States Senator.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

SENATE CHAMBER, }
January 26, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith
Senate Bill No. 48,

A bill for an act fixing the minimum time for which offenders may be committed to the penitentiary,

Which the Senate has passed and your favorable consideration thereof is respectfully requested.

FRED FALLEY,
Secretary.

The Sergeant-at-Arms announced the Lieutenant Governor, members of the Senate and officers thereof, with the House committee escorting, in waiting.

JOINT SESSION.

The Joint Session of the two Houses was called to order by the Lieutenant Governor, the President of the Senate.

The rolls of the respective Houses were called.

All members present, except Mr. Hillier of the Senate and Messrs. Caldwell, Hagen and Towers of the House, Messrs. Hillier, Caldwell and Hagen being excused.

The Journal of the Joint Session of the 25th inst. was read.

Mr. Svensrud moved
That the reading of the names be dispensed with,
Which motion was lost.

Mr. Oliver moved

To expunge from the Journal of the Joint Session of the 25th inst. all that part of page 5 (loose edition) commencing with the words "Mr. McCormack handed" down to and including the name "D. W. McCanna."

Mr. Burke moved

That the motion to expunge be laid upon the table,
Which motion was lost.

The question being upon the motion to expunge a part of page 5 of the Journal of the Joint Session of the 25th inst.,

Roll call demanded.

The roll being called there were ayes 57, nays 32.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Arnold,	White,	McCulloch,
Cashel,	Young,	Newman,
Day,	Benedict,	Oksendahl,
Enger,	Bentley,	Oliver,
Fuller,	Boynton,	Pierce,
Gregory,	Bullard,	Ritter,
Haggart,	Burkhardt,	Satterlund.
Ink,	Churchill,	Severson,
Johnson,	Cochrane,	Simpson,
Little,	Davis,	Southard,
LaMoure,	Halvorson,	Strom,
McGillivray,	Haugen,	Tufts,
Miller,	Havrevold,	Veeder,
Palmer,	Hodgson,	Wallen,
Pinkham,	Hurley,	Wineman,
Sorley,	Johnson, of Sargent,	Wishek,
Stevens,	Larson,	Wright.
Svensrud,	Lohnes,	Yegen,
Worst,	McArthur,	Mr. Speaker.

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Bidlake,	Elliott,	Logan,
Brynjolfson,	Hall,	McCanna,
Burke,	Hallum,	McLean,
Engle,	Holliday,	O'Keefe,
Kinter,	Horgan,	Plain,
Lamb,	James,	Rinde,
McCarten,	Johnson, of G'd Forks,	Sanford,
McCormack,	Johnston,	Thexton,
Patch,	Kelly,	Thompson,
Deans,	Lee,	Ueland.
Ebbighausen,	Levang,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Hillier,	Hagen,	Towers.
Caldwell,		

Messrs. Hillier, Caldwell and Hagen being excused.

So the motion to expunge a portion of page 5 of the Journal of the Joint Session of January 25th prevailed.

Mr. Havrevold moved

That the further reading of the names be dispensed with,
Which motion prevailed.

Mr. Halvorson asked that the Journal of the Joint Session of the 25th inst. be corrected by inserting on page 3, after the words "Mr. LaMoure voted for Mr. Kellogg," the following: "Those who voted for Mr. Johnson were: Messrs. Halvorson and Sorley."

With these corrections the Journal of the Joint Session was approved.

Mr. Gregory moved
That the lobby be cleared.

Mr. Kinter moved as a substitute
That all parties in the lobby be allowed to remain as long as
good order was maintained,
Which motion was accepted, and
The substitute motion was adopted.

Mr. Logan moved
That the Joint Session do now proceed to take the twenty-fifth
ballot for a United States Senator,
Which motion prevailed.

The Joint Session proceeded to take the twenty-fifth ballot.

TWENTY-FIFTH BALLOT.

The roll being called there were 89 votes cast, of which Mr. Casey received 13, Mr. Worst 7, Mr. Muir 32, Mr. Anderson 26, Mr. Smith 3, Mr. Benton 1, Mr. Walsh 5, Mr. Lounsbury 2.

Those who voted for Mr. Casey were:

Messrs. Cashel, Haggart, Ink, Miller, Palmer, Svensrud, White, Benedict, Bentley, Davis, Newman, Southard, Wisnek—13.

Those who voted for Mr. Worst were:

Messrs. Gregory, Little, LaMoure, McGillivray, Cochrane, Horgan, Yegen—7.

Those who voted for Mr. Muir were:

Messrs. Bidlake, Brynjolfson, Burke, Engle, Kinter, Lamb, McCarten, McCormack, Patch, Stevens, Deans, Ebbighausen, Elliott, Hall, Hallum, Hodgson, Holliday, Johnson of Sargent, Johnson of Grand Forks, Johnston, Kelly, Lee, Levang, Logan, McCulloch, O'Keefe, Plain, Rinde, Sanford, Thexton, Thompson, Ueland—32.

Those who voted for Mr. Anderson were:

Messrs. Arnold, Enger, Fuller, Johnson, Pinkham, Sorley, Worst, Young, Bullard, Churchill, Halvorson, Haugen, Hurley, Larson, Lohnes, Oksendahl, Pierce, Ritter, Satterlund, Severson, Simpson, Strom, Wallen, Wineman, Wright, Mr. Speaker—26.

Those who voted for Mr. Smith were:

Messrs. Day, McArthur, Tufts—3.

Those who voted for Mr. Walsh were:

Messrs. Burkhardt, Havrevold, James, McCanna, Veeder—5.

Those who voted for Mr. Lounsbury were:

Messrs. Boynton, Oliver—2.

Mr. McLean voted for Mr. Benton.

Mr. Hillier of the Senate and Messrs. Caldwell and Hagen of the House being excused.

Mr. Towers being absent.

Mr. Pinkham moved
That the Joint Session do now dissolve,
Which motion prevailed, and
The Joint Session dissolved.

J. G. HAMILTON,
Clerk of the Joint Session.

House reassembled.

Mr. Newman moved
That the House do now adjourn,
Which motion prevailed, and
The House adjourned.

J. G. HAMILTON,
Chief Clerk.

TWENTY-FIFTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 27, 1893.

The House assembled at 12 o'clock noon pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All members present except Messrs. Churchill and Ritter, who were excused.

The committee to examine and correct the Journal made the following report:

MR. SPEAKER:

Your committee to revise and correct the Journal have examined the Journal of the House proceedings of the 24th day and find the same to be correct.

D. C. TUFTS,
Chairman.

There being no objections the report of the committee was adopted, and the Journal of the House proceedings approved.

Mr. Speaker appointed Messrs. Wineman, Simpson and Plain a committee to notify the Senate that the House was in readiness to receive the Senate in Joint Session to ballot for a United Senator.

The Sergeant-at-Arms announced the Lieutenant Governor, members of the Senate and officers thereof, with the House Committee escorting, in waiting.

JOINT SESSION.

The Joint Session of the two Houses was called to order by the Lieutenant-Governor, the President of the Senate.

The rolls of the respective Houses were called.

All members present except Messrs. Churchill and Ritter of House, who were excused.

The Journal of the Joint Session of the 26th inst. was read.

Mr. Little moved

That the reading of the names be dispensed with,
Which motion prevailed.

There being no objections the Journal of the Joint Session of the 26th inst. was approved.

The committee to draft resolutions respecting the death of Judge L. Q. C. Lamar presented the following:

RESOLUTIONS

ON THE DEATH OF THE HON. L. Q. C. LAMAR, ASSOCIATE CHIEF JUSTICE OF THE UNITED STATES.

Be it Resolved by the Legislative Assembly of the State of North Dakota:

First—That this Assembly has heard with unfeigned regret of the sudden death of the Hon. L. Q. C. Lamar, Associate Chief Justice of the United States. That in his decease another star has vanished from the galaxy of America's living greatness, than which, though eclipsed perhaps in brilliancy by some, none have shone with a purer, steadier light and radiance.

Second—That we rejoice, that when the nation was emerging from the bloody cataclysm of fratricidal strife, ere yet the dark clouds of mistrust had disappeared, or the angry mutterings of sectional passion had died out, that his was one of the first voices calling amid the storm for peace, forbearance and reconciliation. That he was one of the earliest to urge upon the reconstructed states that, as integral parts of the great government, it was their unquestionable duty, as patriots and citizens, to accord to it their hearty and earnest support in strengthening the mighty fabric in every joint and fiber after the terrible ordeal to which it had been subjected. That, undeferred by hostile criticisms and party rancor, conscious of his own purity of intent and patriotism of purpose, above the petty temptations of sectional popularity, he lived to see his judgment vindicated and his country moving on through years of fertilizing peace to the goal of a united, happy and prosperous people.

Third—That as a United States senator in a critical period, we commend the manly independence of character and loyalty to conviction that impelled him to disregard the bidding of a mistaken legislature and appeal to the people for vindication, and that his triumph was signal and complete.

Fourth—That we express our high admiration of that happy equipoise of temperament that by its geniality, uniform courtesy, manliness and high sense of honor attracted alike the friendship and affection of political friend and foe in common. That as a kind friend, a devoted husband and father, as a consistent Christian, "he bore without reproach the grand old name of gentleman."

Fifth—That having served many years in the respective positions of professor of mathematics, social science and law, and with a successful career as an advocate, he brought to the examination of judicial questions a fine native intellect, enriched by a compendious knowledge, analytical training and amplitude of illustration and practical experience that enabled him to preserve that "just temper between the mere man of theory, who can see nothing but general principles, and the mere man of business, who can see nothing but particular circumstances," that marks the perfect lawyer.

Sixth—We also believe that now that his life—so full of judicial independence and dignity, and so full of professional honor, and with unlimited public

respect—has closed, and the deep, damp vault may claim its prey and the casket may moulder into dust, the hand of history will snatch the jewel from the grave and enshrine it in the annals of his country's imperishable memory.

Seventh—That though we know that grief is a vestal virgin that retires in secret to hide her woe, we trust that some echo of this tribute of respect from the far-off Northwest may penetrate the halls of mourning and bear some consolation to the sorely bruised hearts of his family and friends.

SETH NEWMAN,
JOHN BURKE,
S. B. BRYNJOLFSON.

Mr. McCormack moved
That the resolutions as read be adopted,
Which motion prevailed, and
The resolutions were adopted.

Mr. Haugen moved
That the Joint Session do now proceed to take the twenty-sixth ballot for a United States Senator,
Which motion prevailed,
And the Joint Session proceeded to take the twenty-sixth ballot.

TWENTY-SIXTH BALLOT.

The roll being called there were 91 votes cast, of which Mr. Casey received 37, Mr. Worst 1, Mr. Anderson 14, Mr. Roach 16, Mr. Muir 3, Mr. Smith 6, Mr. Kingman 5, Mr. Elliott 3, Mr. White 2, Mr. Hodgson 1, Mr. McConnell 1, Mr. Johnson of Sargent 1, Mr. Glaspell 1.

Those who voted for Mr. Casey were:

Messrs. Cashel, Day, Gregory, Haggart, Ink, Little, L&Moure, McGillivray, Miller, Palmer, Sorley, Svensrud, Worst, White, Benedict, Bentley, Boynton, Burkhardt, Cochrane, Davis, Halvorson, Havrevold, Hurley, Lohnes, Newman, Oksendahl, Oliver, Pierce, Satterlund, Simpson, Southard, Tufts, Veeder, Wineman, Wishek, Yegen, Mr. Speaker—37.

Those who voted for Mr. Roach were:

Messrs. Bidlake, Brynjolfson, Burke, Engle, McCormack, Patch, Deans, Hall, Hallum, Holliday, Horgan, Johnson of Grand Forks, McCanna, Plain, Sanford, Thexton—16.

Those who voted for Mr. Muir were:

Messrs. Hillier, Stevens, Caldwell—3.

Those who voted for Mr. Anderson were:

Messrs. Arnold, Enger, Kinter, Ebbighausen, Haugen, Hodgson, James, Johnston, Lee, Levang, McCulloch, O'Keefe, Rinde, Thompson—14.

Those who voted for Mr. Smith were:

Messrs. Pinkham, Young, Bullard, McArthur, McLean, Severson—6.

Those who voted for Mr. Kingman were:

Messrs. Johnson, Elliott, Larson, Strom, Wallen—5.

Those who voted for Mr. Elliott were:

Messrs. Lamb, McCarten, Ueland—3.

Those who voted for Mr. White were:

Messrs. Logan, Hagen—2.

Mr. Fuller voted for Mr. Worst.

Mr. Johnson of Sargent voted for Mr. Hodgson.

Mr. Kelly voted for Mr. McConnell.

Mr. Towers voted for Mr. Johnson of Sargent.

Mr. Wright voted for Mr. Glaspell.

Messrs. Churchill and Ritter being excused.

Mr. Bentley moved

That the Joint Session do now dissolve.

Roll call demanded.

The roll being called there were ayes 40, nays 51.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Cashel,	White,	Oksendahl,
Day,	Benedict,	Oliver,
Gregory,	Bentley,	Pierce,
Haggart,	Boynton,	Satterlund,
Ink,	Burkhardt,	Simpson,
Johnson,	Cochrane,	Southard,
Little,	Davis,	Strom,
LaMoure,	Havrevold,	Tufts,
McGillivray,	Horgan,	Veeder,
Miller,	Hurley,	Wineman,
Palmer,	James,	Wishek,
Sorley,	Lohnes,	Yegen,
Svensrud,	Newman,	Mr. Speaker.
Worst,		

Those voting in the negative were:

Messrs—	Messrs—	Messrs—
Arnold,	Caldwell,	Levang,
Bidlake,	Deans,	Logan,
Brynjolfson,	Ebbighausen,	McArthur,
Burke,	Elliott,	McCanna,
Enger,	Hagen,	McCulloch,
Engle,	Hall,	McLean,
Fuller,	Hallum,	O'Keefe,
Hillier,	Halvorson,	Plain,
Kinter,	Haugen,	Rinde,
Lamb,	Hodgson,	Sanford,
McCarten,	Holliday,	Severson,
McCormack,	Johnson of Sargent,	Thexton,
Patch,	Johnson of G'd Forks,	Thompson,
Pinkham,	Johnston,	Towers,
Stevens,	Kelly,	Ueland,
Young,	Larson,	Wallen,
Bullard,	Lee,	Wright.

Messrs. Churchill and Ritter being excused.

So the motion to dissolve the Joint Session was lost.

Mr. McLean moved

That the Joint Session do now proceed to take the twenty-seventh ballot,

Which motion prevailed, and

The Joint Session proceeded to take the twenty-seventh ballot.

TWENTY-SEVENTH BALLOT.

The roll being called there were 91 votes cast, of which Mr. Casey received 36, Mr. Worst 1, Mr. Anderson 7, Mr. Muir 5, Mr. Kingman 5, Mr. Smith 10, Mr. Roach 22, Mr. McCulloch 1, Mr. Lamb 1, Mr. Glaspell 1, Mr. Fuller 2.

Those who voted for Mr. Casey were:

Messrs. Cashel, Day, Gregory, Haggart, Ink, Little, LaMoure, McGillivray, Miller, Palmer, Sorley, Svensrud, Worst, White, Benedict, Bentley, Boynton, Burkhardt, Cochrane, Davis, Havrevold, Hurley, Lohnes, Newman, Oksendahl, Oliver, Pierce, Satterlund, Simpson, Southard, Tufts, Veeder, Wineman, Wishek, Yegen, Mr. Speaker—36.

Those who voted for Mr. Roach were:

Messrs. Bidlake, Brynjolfson, Burke, Engle, Kinter, McCormack, Patch, Deans, Ebbighausen, Hall, Hallum, Hollday, Horgan, James, Johnson of Grand Forks, Kelly, McCanna, McLean, O'Keefe, Plain, Sanford, Thexton—22.

Those who voted for Mr. Muir were:

Messrs. Stevens, Caldwell, Hagen, Towers, Ueland—5.

Those who voted for Mr. Anderson were:

Messrs. Enger, Halvorson, Hodgson, Johnston, Lee, Levang, Thompson—7.

Those who voted for Mr. Smith were:

Messrs. Hillier, McCarten, Pinkham, Young, Bullard, Logan, McArthur, McCulloch, Rinde, Severson—10.

Those who voted for Mr. Kingman were:

Messrs. Johnson, Elliott, Larson, Strom, Wallen—5.

Those who voted for Mr. Fuller were:

Messrs. Arnold, Haugen—2.

Mr. Fuller voted for Mr. Worst.

Mr. Lamb voted for Mr. McCulloch.

Mr. Johnson of Sargent voted for Mr. Lamb.

Mr. Wright voted for Mr. Glaspell.

Messrs. Churchill and Ritter being excused.

Mr. Bentley moved
That the Joint Session do now dissolve.
Roll call demanded.
The roll being called there were ayes 60, nays 31.
Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Bidlake,	Young,	McLean,
Burke,	Benedict,	Newman,
Cashel,	Bentley,	O'Keefe,
Day,	Boynston,	Oksendahl,
Enger,	Bullard,	Oliver,
Engle,	Burkhardt,	Pierce,
Gregory,	Caldwell,	Plain,
Haggart,	Cochrane,	Satterlund,
Ink,	Davis,	Simpson,
Kinter,	Ebbighausen,	Southard,
Little,	Halvorson,	Strom,
LaMoure,	Hall,	Thexton,
McGillivray,	Havrevold,	Towers.
Miller,	Hurley,	Tufts,
Palmer,	Johnson of Sargent,	Ueland.
Patch,	Johnson of G'd Forks,	Veeder,
Sorley,	Johnston,	Wineman,
Svensrud,	Lee,	Wishek,
Worst,	Lohnes,	Yegen,
White,	McCanna,	Mr. Speaker.

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Arnold,	Elliott,	Levang,
Brynjolfson,	Hagen,	Logan,
Fuller,	Hallum,	McArthur,
Hillier,	Haugen,	McCulloch,
Johnson,	Hodgson,	Rinde,
Lamb,	Holliday,	Sanford,
McCarten,	Horgan,	Severson,
McCormack,	James,	Thompson,
Pinkham,	Kelly,	Wallen,
Stevens,	Larson,	Wright.
Deans,		

Messrs. Churchill and Ritter being excused.
So the motion to dissolve the Joint Session prevailed, and the
Joint Session dissolved.

J. G. HAMILTON,
Clerk of the Joint Session.

The House reassembled.

Mr. Southard gave notice that on to-morrow he would move
that the lobby be cleared.

Mr. Bentley moved
That the House do now adjourn,
Which motion prevailed,
And the House adjourned.

J. G. HAMILTON,
Chief Clerk.

TWENTY-SIXTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 28, 1893.

The House assembled at 12 o'clock noon, pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All members present except Messrs. Churchill and Ritter, who were excused.

The committee to revise and correct the Journal made the following report:

MR. SPEAKER:

Your committee to revise and correct the Journal have examined the same and report the Journal of the House proceedings of the 25th day to be correct.

D. C. TUFTS,
Chairman.

There being no objections the report of the committee was adopted and the Journal approved.

Mr. Speaker appointed Messrs. Strom, Rinde and Thexton a committee to notify the Senate that the House was in readiness to receive the Senate in Joint Session to ballot for a United States Senator.

The Sergeant-at-Arms announced the Lieutenant Governor, members of the Senate and officers thereof, with the House committee escorting, in waiting.

JOINT SESSION.

The Joint Session of the two Houses was called to order by the Lieutenant Governor, the President of the Senate.

The rolls of the respective Houses were called.

All members present except Messrs. Churchill and Ritter of the House, who were excused.

Mr. Worst asked unanimous consent to present the following resolutions respecting the death of the Hon. J. G. Blaine,
Which consent was granted.

RESOLUTIONS.

WHEREAS, News has been received of the death of the Hon. James G. Blaine; and,

WHEREAS, We recognize therein the loss to our country and to the world of one of the greatest men of these later times, a statesman honored at home and abroad, who had, for more than a quarter of a century, dignified the counsels of this nation, contributing wisely to the deliberations of the executive as well as the legislative branches of its Government; be it, therefore,

Resolved, That, in unison with the people of all sections of our broad country, we mourn sincerely the death of one whose long career has been a blessing to this nation, who sustained with a noble fortitude the crushing, heartrending misfortunes with which he was many time afflicted; who, departing, has indeed left behind him "footprints in the sands of time," marking the honored course of a busy life well spent in earnest, patriotic and successful endeavor for the well being of his fellow men. Beloved and admired even by those who opposed him in the bitter strife of politics, he was, in truth, as was that other leader of whom the words were long since spoken, "First in the hearts of his countrymen." Often a target for the venomous shafts of jealous malice, he was a man the latchet of whose shoes the greatest of those who reviled him were unworthy to unloose. A splendid exponent of the best type of American manhood, a diplomat whose genius had received world-wide recognition, his memory will be reverently cherished, and his fame will remain undimmed so long as the human heart shall reverence that which is great and good, or pay loving homage to the achievements of an intellect superlatively endowed.

Resolved, That in testimony of our admiration for the high character and magnificent abilities which have made the name of James G. Blaine a household word throughout our broad land, and will render that name illustrious so long as government by and for the people shall exist, these resolutions be engrossed upon the minutes of this Joint Convention, and that in token of our deep sympathy in their bereavement a copy hereof, duly certified, be forwarded to the remaining members of his sorely stricken family; and, be it further

Resolved, That as a further mark of our sorrow this Joint Convention do dissolve after the one ballot by law required.

Mr. McCormack moved

That the resolutions be adopted by a rising vote,

Which motion prevailed, and

The resolutions were adopted.

The Journal of the Joint Session of the 27th inst. was read.

Mr. Sorley moved

That the reading of the resolutions and names be dispensed with,

Which motion prevailed.

There being no objection, the Journal of the Joint Session of the 27th inst. was approved.

Mr. Haugen moved

That the Joint Session do now proceed to take the twenty-eighth ballot for a United States Senator,
Which motion prevailed.

The Joint Session proceeded to take the twenty-eighth ballot.

TWENTY-EIGHTH BALLOT.

The roll being called there were 91 votes cast, of which Mr. Casey received 37, Mr. Roach 6, Mr. Anderson 3, Mr. Muir 3, Mr. Smith 26, Mr. Kingman 2, Mr. LaMoure 10, Mr. A. G. Johnson 4.

Those who voted for Mr. Casey were:

Messrs. Cashel, Day, Gregory, Haggart, Ink, Little LaMoure, McGillivray, Miller, Palmer, Sorley, Svensrud, Worst, White, Benedict, Bentley, Boynton, Burkhardt, Cochrane, Davis, Halvorson, Havrevold, Hurley, Lohnes, Newman, Oksendahl, Oliver, Pierce, Satterlund, Simpson, Southard, Tufts, Veeder, Wine-
man, Wishek, Yegen, Mr. Speaker—37.

Those who voted for Mr. Roach were:

Messrs. Burke, Engle, Ebbighausen, Hall, Kelly, O'Keefe—6.

Those who voted for Mr. Muir were:

Messrs. Stevens, Caldwell, Hagen—3.

Those who voted for Mr. Anderson were:

Messrs. Hillier, Levang, Thexton—3.

Those who voted for Mr. Smith were:

Messrs. Arnold, Enger, Fuller, Johnson, Kinter, McCarten, McCormack, Patch, Pinkham, Young, Bullard, Haugen, Hodgson, Logan, McArthur, McCanna, McCulloch, Plain, Rinde, Sanford, Severson, Strom, Thompson, Towers, Wallen, Wright—26.

Those who voted for Mr. Kingman were:

Messrs. Elliott, Larson—2.

Those who voted for Mr. LaMoure were:

Messrs. Bidlake, Brynjolfson, Deans, Hallum, Holliday, Horgan, James, Johnson of Grand Forks, Johnston, McLean—10.

Those who voted for Mr. A. G. Johnson were:

Messrs. Lamb, Johnson of Sargent, Lee, Ueland—4.

Messrs. Churchill and Ritter of the House being excused.

Mr. LaMoure moved

That the Joint Session do now dissolve,
Which motion prevailed, and
The Joint Session dissolved.

J. G. HAMILTON,
Clerk of the Joint Session.

House reassembled.

Mr. Elliott moved
That the House do now adjourn,
Which motion prevailed, and
The House adjourned.

J. G. HAMILTON,
Chief Clerk.

TWENTY-EIGHTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 30, 1893.

The House assembled at 12 o'clock noon pursuant to adjournment.

The Speaker presiding.

Roll called.

All members present except Mr. Ritter, who was excused.

The committee to examine and correct the Journal made the following report:

MR. SPEAKER:

Your committee to revise and correct the Journal have examined the Journal of the House proceedings of the 26th day, and find the same to be correct.

D. C. TUFTS,
Chairman.

There being no objections, the report of the committee was adopted and the Journal of the House proceedings of the 26th day was approved.

Mr. Speaker appointed Messrs. Pierce, Holliday and Caldwell a committee to notify the Senate that the House was in readiness to receive the Senate in Joint Session to ballot for a United States Senator.

The Sergeant-at-Arms announced the Lieutenant Governor, members of the Senate and officers thereof, with the House committee escorting, in waiting.

JOINT SESSION.

The Joint Session of the two Houses was called to order by the Lieutenant Governor, the President of the Senate.

The rolls of the respective Houses were called.

All members present, except Messrs. Oliver, Veeder and Ritter of the House, Mr. Ritter being excused.

The Journal of the Joint Session of the 28th inst. was read.

Mr. Wineman moved

That the reading of the resolutions and names be dispensed with,

Which motion prevailed.

There being no objection, the Journal of the Joint Session of the 28th inst. was approved.

Mr. Gregory demanded a call of the Joint Assembly.

Call seconded.

Roll called.

All members present except Messrs. Oliver, Ritter and Veeder of the House, Mr. Ritter being excused.

Mr. Burke moved

That further proceedings under the call be dispensed with.

Roll call demanded.

The roll being called there were ayes 45, nays 44.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Bidlake,	Ebbighausen,	Logan,
Brynjolfson,	Elliott,	McArthur.
Burke,	Hagen,	McCanna,
Engle,	Hall,	McCulloch,
Hillier,	Hallum,	McLean,
Kinter,	Hodgson,	O'Keefe,
Lamb,	Holliday,	Plain,
McCarten,	Horgan,	Rinde,
McCormack,	James,	Sanford,
Patch,	Johnson of Sargent,	Severson,
Stevens.	Johnson of G'd Forks,	Thexton,
Young,	Johnston,	Thompson,
Caldwell,	Kelly,	Towers,
Churchill,	Lee,	Ueland,
Deans,	Levang,	Wright.

Those voting in the negative were:

Messrs—	Messrs—	Messrs—
Arnold,	Svensrud,	Lohnes,
Cashel,	Worst,	Newman,
Day,	White,	Oksendahl,
Fuller,	Benedict,	Pierce,
Gregory,	Bentley,	Satterlund,
Haggart,	Boynton,	Simpson,
Ink,	Bullard,	Southard,
Johnson,	Burkhardt,	Strom,
Little,	Cochrane,	Tufts,
LaMoure,	Davis,	Wallen,
McGillivray,	Halvorson,	Wineman,

Messrs— Miller, Palmer, Pinkham, Sorley,	Messrs— Haugen, Havrevold, Hurley, Larson,	Messrs— Wishek, Yegen, Mr. Speaker.
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Absent and not voting:

Messrs— Enger, Oliver,	Messrs— Ritter,	Messrs— Veeder.
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Mr. Ritter being excused.

So the motion to dispense with further proceedings under the call of the Joint Assembly was lost, a majority of the members-elect not voting therefor.

Mr. Kinter moved

That further proceedings under the call be dispensed with,

Mr. President declared the motion out of order, the Sergeant-at-Arms not having made his report.

The Sergeant-at-Arms returned and reported all the members present except Mr. Ritter, who was excused.

Mr. LaMoure moved

That further proceedings under the call be dispensed with,

Which motion prevailed, and

Further proceedings under the call of the Joint Assembly were dispensed with.

Mr. LaMoure moved

That the Joint Session do now proceed to take the twenty-ninth ballot for a United States Senator,

Which motion prevailed, and

The Joint Session proceeded to take the twenty-ninth ballot.

TWENTY-NINTH BALLOT.

The roll being called there were 92 votes cast, of which Mr. Casey received 36, Mr. Roach 22, Mr. Muir 15, Mr. Smith 1, Mr. Kingman 1, Mr. H. F. Arnold 1, Mrs. R. T. Kingman 1, Mrs. Walsh 1, Mrs. Fuller 1.

Those who voted for Mr. Casey were:

Messrs. Cashel, Day, Gregory, Haggart, Ink, Little, LaMoure, McGillivray, Miller, Palmer, Sorley, Svensrud, Worst, White, Benedict, Bentley, Boynton, Burkhardt, Cochrane, Davis, Halvorson, Havrevold, Hurley, Lohnes, Newman, Oksendahl, Oliver, Pierce, Satterlund, Simpson, Southard, Tufts, Veeder, Wisnek, Yegen, Mr. Speaker—36.

Those who voted for Mr. Roach were:

Messrs. Bidlake, Brynjolfson, Burke, Engle, Kinter, Patch, Deans, Ebbighausen, Hall, Hallum, Holliday, Horgan, James,

Johnson of Grand Forks, Johnston, Kelly, McCanna, McLean, O'Keefe, Plain, Sanford, Thexton—22.

Those who voted for Mr. Muir were:

Messrs. Hillier, McCarten, Stevens, Caldwell, Elliott, Hagen, Hodgson, Johnson of Sargent, Lee, Levang, McCulloch, Rinde, Thompson, Towers, Ueland—15.

Those who voted for Mr. Fuller were:

Messrs. Arnold, Enger, Lamb, McCormack, Pinkham, Young, Bullard, Churchill, Haugen, Larson, Severson, Strom, Wallen, Wright—14.

Mr. McArthur voted for Mr. Smith.

Mr. Johnson voted for Mr. Kingman.

Mr. Fuller voted for Mr. H. F. Arnold.

Mr. Logan voted for Mrs. R. T. Kingman.

Mr. Wineman voted for Mrs. Walsh.

Mr. Ritter being excused.

Mr. Little moved

That the Joint Session do now dissolve.

Roll call demanded.

The roll being called there were ayes 34, nays 58.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Cashel,	Svensrud,	Oliver,
Day,	Worst,	Pierce,
Gregory,	White,	Satterlund,
Haggart,	Benedict,	Simpson,
Ink,	Bentley,	Southard,
Little,	Burkhardt,	Tufts,
LaMoure,	Cochrane,	Veeder,
McGillivray,	Havrevold,	Wineman,
Miller,	Hurley,	Wishek,
Palmer,	Lohnes,	Yegen,
Pinkham,	Newman,	Mr. Speaker.
Sorley,		

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Arnold,	Davis,	Levang,
Ridlake,	Deans,	Logan,
Brynjolfson,	Ebbighausen,	McArthur,
Burke,	Elliott,	McCanna,
Enger,	Hagen,	McCulloch,
Engle,	Hall,	McLean,
Fuller,	Hallum,	O'Keefe,
Hillier,	Halvorson,	Oksendahl,
Johnson,	Haugen,	Plain,
Kinter,	Hodgson,	Rinde,
Lamb,	Holliday,	Sanford,
McCarten,	Horgan,	Severson,
McCormack,	James,	Strom,

Messrs—	Messrs—	Messrs—
Patch,	Johnson of Sargent,	Thexton,
Stevens,	Johnson of G'd Forks,	Thompson,
Young,	Johnston,	Towers,
Boynton,	Kelly,	Ueland,
Bullard,	Larson,	Wallen,
Caldwell,	Lee,	Wright.
Churchill,		

Mr. Ritter being absent and excused.

So the motion to dissolve the Joint Session was lost.

Mr. McLean moved

That the Joint Session do now proceed to take the thirtieth ballot for a United States Senator,

Which motion prevailed.

THIRTIETH BALLOT.

The roll being called there were 92 votes cast, of which Mr. Casey received 35, Mr. Roach 3, Mr. Muir 5, Mr. Anderson 2, Mr. Fuller 7, Mrs. McCormack 29, Mrs. Eisenhuth 1, Mrs. Muir 2, Mr. Arnold 3, Mr. Young 2, Mr. Hodgson 1, Mr. Engle 1, Mr. Walsh 1.

Those who voted for Mr. Casey were:

Messrs. Cashel, Day, Gregory, Haggart, Ink, Little, LaMoure, McGillivray, Miller, Palmer, Sorley, Svensrud, Worst, White, Benedict, Bentley, Boynton, Burkhardt, Cochrane, Davis, Halvorson, Havrevold, Hurley, Lohnes, Newman, Oksendahl, Oliver, Pierce, Satterlund, Simpson, Southard, Tufts, Veeder, Wishek, Yegen—35.

Those who voted for Mr. Roach were:

Messrs. Deans, Ebbighausen, O'Keefe—3.

Those who voted for Mr. Muir were:

Messrs. Caldwell, Hagen, Levang, Rinde, Towers—5.

Those who voted for Mr. Anderson were:

Messrs. Haugen, Thompson—2.

Those who voted for Mr. Fuller were:

Messrs. Arnold, Enger, Pinkham, Young, Larson, Wallen, Wright—7.

Those who voted for Mrs. McCormack were:

Messrs. Bidlake, Brynjolfson, Burke, Engle, Kinter, Lamb, McCarten, McCormack, Patch, Churchill, Hallum, Hodgson, Holliday, Horgan, James, Johnson of Sargent, Johnson of Grand Forks, Johnston, Kelly, Lee, Logan, McArthur, McCanna, McCulloch, McLean, Plain, Sanford, Thexton, Mr. Speaker—29.

Those who voted for Mr. Arnold were:

Messrs. Fuller, Johnson, Strom—3.

Those who voted for Mrs. Muir were:

Messrs. Hillier, Ueland—2.

Those who voted for Mr. Young were:
Messrs. Bullard, Severson—2.

Mr. Wineman voted for Mr. Walsh.

Mr. Stevens voted for Mrs. Eisenhuth.

Mr. Elliott voted for Mr. Hodgson.

Mr. Hall voted for Mr. Engle.

Mr. Ritter being absent and excused.

Mr. Sorley moved

That the Joint Session do now dissolve,

Which motion prevailed, and

The Joint Session dissolved.

J. G. HAMILTON,
Clerk of the Joint Session.

House reassembled.

Mr. Hurley moved

That the House do now adjourn,

Which motion was lost.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Plain presented the following petition against the repeal of the \$200 personal property exemption:

PETITION.

To Hon. John Bidlake, State Senator from Cavalier county, N. D., and C. W. Plain and F. W. McLean, Representatives in the Legislature for the State of North Dakota from Cavalier county, N. D.:

We, the undersigned, tax payers of Cavalier county, N. D., respectfully request that you use all lawful means to defeat Senate Bill No. 2, now before the House, looking toward the repeal of the \$200 personal property exemption law, and your petitioners will ever pray.

Signed by

BJORN BJORNSON,
And Forty-eight Others.

MOTIONS AND RESOLUTIONS.

Mr. Thexton offered the following resolution and moved its adoption:

Resolved by the House of Representatives, in session convened, That the Speaker is hereby authorized and instructed to appoint the following Assistant Enrolling and Engrossing Clerks, viz.: James Staley of McLean county, Jacob Lindal of Pembina county, Harris Oakland of Nelson county, Ralph Chase of Burleigh county, Bryant of Logan county, Fred Borowsky of Cavalier county, D. S. Dodds of Nelson county, Miss F. Enright of Burleigh county, Miss Grace Potter of Cass county, L. Swennumson of Walsh county,

Which motion was lost.

Mr. Strom presented the following

CONCURRENT RESOLUTION.

Be it Resolved by the House of Representatives, the Senate concurring:

WHEREAS, The greater part of the anthracite coal deposits of the United States are owned by a few corporations, who have combined and levied probably a hundred million dollars of taxes during the past few years upon the people of this country by raising the price paid for coal by the consumers, while at the same time they have decreased the wages of their workmen, thus degrading American citizenship and endangering republican institutions; and,

WHEREAS, These corporations are artificial persons, created and existing by law alone, possessed of immortal life and the right to impose taxes on the people in one year equal to the revenues of half a dozen sovereign states, implies the right to wring from the people forever, if not prevented by law, unlimited amounts of their substance; and,

WHEREAS, It was the original design of the founders of the government to reserve from sale and retain for the benefit of all the people the public lands containing mineral or metallic wealth; and,

WHEREAS, The present evil conditions in the coal fields of this country are an unforeseen and unnatural outgrowth from the conceded right of private property, applied to an article of prime necessity for all the people, in the hands of corporations; therefore,

Resolved, That the Legislative Assembly of the State of North Dakota respectfully memorializes the Congress of the United States to take immediate steps, under the right of eminent domain, to condemn and enter into possession of all the anthracite coal lands of this country, and hold and administer the same as a public trust for the benefit of all the people, on terms that shall be just to the miners of the coal and the consumers of the same; and be it further

Resolved, That it shall be the duty of the Secretary of State to forward copies of this memorial to our Senators and Representative in Congress, and also to the President of the United States and to each Senator and Member of Congress.

Mr. Newman moved

That the consideration of the Concurrent Resolution be made a special order for to-morrow, January 31, at 2 o'clock p. m.,

Which motion prevailed.

Mr. Speaker presented the following petition and resolution:

To the Hon. George H. Walsh, Speaker of the House of Representatives of North Dakota:

DEAR SIR—According to the instructions of the General Congregational Association of North Dakota, representing the 1,630 communicants, together with their adherents, of the Congregational church of North Dakota, I send you the following resolutions, adopted at the annual meeting of the association in Grand Forks, September 15, 1892. When the matter comes before the House, as it probably will at the present session, will you kindly hand these resolutions to the chairman of the proper committee?

Very respectfully yours,

C. H. PHILLIPS,
Secretary.

Cummings, N. D., January 24, 1893.

WHEREAS, Our prohibition law, even though not perfectly enforced, has been of immense benefit to the State; and,

WHEREAS, The question of re-submission is being raised in certain quarters; therefore,

Resolved, First, that such agitation hinders the execution of the law.

Resolved, Second, that our State needs not repeal, but better enforcement of this good law.

Resolved, Third, that this better enforcement can be secured by electing to office men who are in sympathy with this law and who will feel obliged by their official oaths to aid in its enforcement.

Resolved, Fourth, that if any changes are made in the law, they should strengthen its grip, enlarge its range, and make heavier its penalties.

Resolved, Fifth, that a copy of these resolutions be sent by the State Secretary to the President of the Senate and to the Speaker of the House of Representatives, on the assembling of the Legislature.

Which was referred to the Committee on Temperance.

Mr. Hurley moved

That the House do now adjourn,

Which motion was withdrawn.

INTRODUCTION AND FIRST READING OF BILLS, JOINT RESOLUTIONS
AND MEMORIALS.

Mr. Deans introduced—

House Bill No. 119,

A bill for an act to amend section 1 of chapter 42 of the Session Laws of 1889, being an act authorizing and empowering organized counties of Dakota to erect county buildings for court house and jail purposes, and to issue and dispose of bonds to provide funds to pay therefor, and to provide for the payment of the principal and interest of such bonds,

Which was read the first time.

Mr. Kelly introduced—

House Bill No. 120,

A bill for an act to amend sections 1, 6, 8, 13 and 14 of chapter 161 of the Session Laws of 1890, creating an institute for the education of the deaf and dumb of North Dakota, and providing for its support and management,

Which was read the first time.

Mr. Deans introduced—

House Bill No. 121,

A bill for an act to provide for the formation of school districts comprising less than a civil or congressional township,

Which was read the first time.

Mr. Burkhardt introduced—

House Bill No. 122,

A bill for an act to amend section 3 of an act passed by the First Legislative Assembly of the State of North Dakota, approved March 7, 1890, and entitled "An act providing for the retention and disposal of estrays," in relation to notice,

Which was read the first time.

Mr. Ueland introduced—

House Bill No. 123,

A bill for an act to legalize and confirm town site proceedings

and to limit the time within which the validity thereof may be questioned,

Which was read the first time.

Mr. Hurley introduced—

House Bill No. 124,

A bill for an act to prevent the spread of contagious and infectious diseases among domestic animals,

Which was read the first time.

SECOND READING OF HOUSE BILLS.

House Bill No. 100,

A bill for an act providing for the establishment of courts of conciliation, and prescribing the mode of procedure in same,

Was read the second time and referred to the Judiciary Committee.

House Bill No. 103,

A bill for an act appropriating additional money for the proper display of North Dakota's resources at the Columbian Exposition,

Was read the second time and referred to the Committee on Appropriations.

House Bill No. 104,

A bill for an act to amend chapter 128 of the Session Laws of 1891, entitled "An act to provide for the collection, arrangement and display of the products of the State of North Dakota at the World's Columbian Exposition of 1893," by adding two lady commissioners to the board therein provided for, so as to better aid educational display and woman's department at the coming Columbian Exposition,

Was read the second time and referred to the Committee on State Affairs.

House Bill No. 105,

A bill for an act to amend section 2 of chapter 124 of the Laws of 1891,

Was read the second time and referred to the Committee on Banks and Banking.

House Bill No. 107,

A bill for an act to amend sections 3, 4, 6 and 7 of chapter 68 of the Laws of 1885, being sections 236, 237, 239 and 240 of the Compiled Laws,

Was read the second time and referred to the Committee on Charitable Institutions.

House Bill No. 108,

A bill for an act to provide for the collection of vital statistics,

Was read the second time and referred to the Committee on Public Health.

House Bill No. 109,

A bill for an act to define the boundaries of the counties of North Dakota,

Was read the second time and referred to the Committee on Counties and County Boundaries.

House Bill No. 110,

A bill in relation to persons and corporations offering premiums for testing the speed of horses, and to prevent the fraudulent entering of horses to compete for such premiums,

Was read the second time and referred to the Judiciary Committee.

House Bill No. 111,

A bill for an act providing that non-residents shall give bonds and procure certificates of authority before transacting any grain commission or brokerage business in the State of North Dakota,

Was read the second time and referred to the Committee on Warehouse, Grain Grading and Dealing.

House Bill No. 112,

A bill for an act authorizing County Commissioners to use moneys belonging to road and bridge funds for reclaiming waste lands, etc.,

Was read the second time and referred to the Judiciary Committee.

House Bill No. 113,

A bill for an act defining the liabilities of railroad corporations for stock killed or injured by trains operated by them,

Was read the second time and referred to the Committee on Railroads.

House Bill No. 114,

A bill for an act for the acquisition of land for township cemeteries,

Was read the second time and referred to the Committee on State Affairs.

House Bill No. 115,

A bill for an act to amend section 56 of the Code of Civil Procedure, being section 4852 of the Compiled Laws,

Was read the second time and referred to the Judiciary Committee.

House Bill No. 116,

A bill for an act entitled "An act to amend section 487 of the Compiled Laws, relating to the administration of oaths,"

Was read the second time and referred to the Judiciary Committee.

House Bill No. 117,

A bill for an act to amend sections 56, 57 and 58 of chapter 132

of the Laws of 1890, entitled "An act prescribing the mode of making assessment, and the levy and collection of taxes, and for other purposes relative thereto, in relation to the collection of personal taxes by judgment,"

Was read the second time and referred to the Committee on Taxation and Tax Laws.

House Bill No. 118,

A bill for an act to amend section 5416 of the Compiled Laws of 1887, being section 602 of the Code of Civil Procedure,

Was read the second time and referred to the Judiciary Committee.

Mr. Strom moved

That the House do now adjourn,

Which motion prevailed, and

The House adjourned.

J. G. HAMILTON,
Chief Clerk.

TWENTY-NINTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 31, 1893.

The House assembled at 12 o'clock noon, pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All members present except Messrs. Bentley, Churchill, Oliver, Ritter and Wallen.

Messrs. Churchill, Oliver, Ritter and Wallen being excused.

The committee to revise and correct the Journal made the following report:

MR. SPEAKER:

Your committee to revise and correct the Journal have examined the same and report the Journal of the House proceedings of the 28th day to be correct.

D. C. TUFTS,
Chairman.

There being no objections, the report of the committee was adopted and the Journal of the House proceedings of the 28th day was approved.

Mr. Speaker appointed Messrs. Strom, Havrevold and Logan a committee to notify the Senate that the House was in readiness to receive the Senate in Joint Session to ballot for a United Senator.

The Sergeant-at-Arms announced the Lieutenant Governor, members of the Senate and officers thereof, with the House Committee escorting, in waiting.

JOINT SESSION.

The Joint Session of the two Houses was called to order by the Lieutenant-Governor, the President of the Senate.

The rolls of the respective Houses were called.

All members present except Messrs. Day and Hillier of the Senate, and Messrs. Bentley, Churchill, Oliver, Ritter and Wallen of the House.

Messrs. Churchill, Oliver, Ritter and Wallen being excused.

Mr. Bidlake presented the following agreement:

AGREEMENT TO PAIR.

BISMARCK, N. D., January 30, 1893.

We, the undersigned, agree to stand paired as to all matters that shall come before the Legislature in Joint Assembly for the purpose of electing a United States Senator, and each to refrain from voting on all such matters without the consent of the other.

WILLIAM HILLIER,
E. P. DAY.

Witness:

JOHN BIDLAKE.

Mr. Ueland moved

That the reading of the Journal of the Joint Session of January 30, be deferred until to-morrow, February 1,

Which motion prevailed, and

The reading of the Journal was so deferred.

Mr. Ink moved

That the Joint Session do now proceed to take the thirty-first ballot for a United States Senator,

Which motion prevailed, and

The Joint Session proceeded to take the thirty-first ballot.

THIRTY-FIRST BALLOT.

The roll being called there were 86 votes cast, of which Mr. Casey received 29, Mr. Anderson 1, Mr. Roach 2, Mr. Benton 36, Mr. Muir 1, Mr. Smith 4, Mr. Kingman 9, Mr. Walsh 4.

Those who voted for Mr. Casey were:

Messrs. Cashel, Gregory, Haggart, Ink, Little, LaMoure, McGillivray, Miller, Palmer, Svensrud, Worst, White, Benedict, Boynton, Burkhardt, Cochrane, Havrevold, Lohnes, Newman, Oksendahl, Pierce, Satterlund, Simpson, Southard, Tufts, Veeder, Wishek, Yegen, Mr. Speaker—29.

Those who voted for Mr. Roach were:

Messrs. Horgan, James—2.

Those who voted for Mr. Smith were:

Messrs. Bullard, McArthur, Severson, Wright—4.

Those who voted for Mr. Kingman were:

Messrs. Arnold, Enger, Fuller, Johnson, Pinkham, Young, Hurley, Larson, Strom—9.

Those who voted for Mr. Benton were:

Messrs. Bidlake, Brynjolfson, Burke, Engle, Kinter, Lamb, McCarten, McCormack, Patch, Stevens, Caldwell, Deans, Ebbighausen, Elliott, Hagen, Hall, Hallum, Hodgson, Holliday, Johnson of Sargent, Johnson of Grand Forks, Johnston, Kelly, Levang, Logan, McCanna, McCulloch, McLean, O'Keefe, Plain, Rinde, Sanford, Thexton, Thompson, Towers, Ueland—36.

Those who voted for Mr. Walsh were:

Messrs. Sorley, Halvorson, Haugen, Wineman—4.

Mr. Lee voted for Mr. Muir.

Mr. Davis voted for Mr. Anderson.

Absent and not voting:

Messrs. Day and Hillier of the Senate, and Messrs. Bentley, Churchill, Oliver, Ritter and Wallen of the House.

Messrs. Day and Hillier being paired, and Messrs. Churchill, Oliver, Ritter and Wallen being excused.

Mr. McGillivray moved

That the Joint Session do now dissolve.

Roll call demanded.

The roll being called there were ayes 46, nays 40.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Arnold,	White,	Newman,
Cashel,	Young,	Oksendahl,
Fuller,	Benedict,	Pierce,
Gregory,	Boynton,	Satterlund.
Haggart,	Bullard,	Severson,
Ink,	Burkhardt,	Simpson,
Johnson,	Cochrane,	Southard,
Little,	Davis,	Strom,
LaMoure,	Halvorson,	Tufts,
McGillivray,	Haugen,	Veeder,
Miller,	Havrevold,	Wineman,
Palmer,	Hurley,	Wishek,
Pinkham,	Larson,	Wright,
Sorley,	Lohnes,	Yegen,
Svensrud,	McArthur,	Mr. Speaker.
Worst,		

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Bidlake,	Elliott,	Levang,
Brynjolfson,	Hagen,	Logan,
Burke,	Hall,	McCanna,
Enger,	Hallum,	McCulloch,
Engle,	Hodgson,	McLean,
Kinter,	Holliday,	O'Keefe,

Messrs—	Messrs—	Messrs—
Lamb,	Horgan,	Plain,
McCarten,	James,	Rinde,
McCormack,	Johnson, of Sargent,	Sanford,
Patch,	Johnson, of G'd Forks,	Thexton,
Stevens,	Johnston,	Thompson,
Caldwell,	Kelly,	Towers,
Deans,	Lee,	Ueland.
Ebbighausen,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Day,	Churchill,	Ritter,
Hillier,	Oliver,	Wallen.
Bentley,		

Messrs. Day and Hillier of the Senate being paired.

Messrs. Churchill, Oliver, Ritter and Wallen being excused.

So the motion to dissolve the Joint Session prevailed, and
The Joint Session dissolved.

J. G. HAMILTON,
Clerk of the Joint Session.

House reassembled.

Mr. McCanna moved
That the House do now adjourn,
Which motion prevailed, and
The House adjourned.

J. G. HAMILTON,
Chief Clerk.

THIRTIETH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 1, 1893.

The House assembled at 12 o'clock noon pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All members present except Messrs. Bentley, Churchill, Oliver and Ritter.

Messrs. Churchill and Ritter being excused.

The committee to examine and correct the Journal made the following report:

MR. SPEAKER:

Your committee to revise and correct the Journal have examined the Journal of the House proceedings of the 29th day and find the same to be correct.

D. C. TUFTS,
Chairman.

There being no objections, the report of the committee was adopted, and the Journal of the 29th day was approved.

Mr. Speaker appointed Messrs. Wright, McArthur and Kelly a committee to notify the Senate that the House was in readiness to receive the Senate in Joint Session to ballot for a United States Senator.

The Sergeant-at-Arms announced the Lieutenant Governor, members of the Senate and officers thereof, with the House Committee escorting, in waiting.

JOINT SESSION.

The Joint Session of the two Houses was called to order by the Lieutenant Governor, the President of the Senate.

The rolls of the respective Houses were called.

All members present except Mr. Hillier of the Senate and Messrs. Bentley, Churchill, Oliver and Ritter of the House.

Messrs. Churchill and Ritter of the House being excused.

The Journal of the Joint Session of the 28th day was read.

Mr. Johnson of Grand Forks moved
That the reading of the names be dispensed with,
Which motion prevailed.

There being no objections, the Journal of the Joint Session of the 28th inst. was approved.

The Journal of the Joint Session of the 29th day was read.

Mr. Burke moved
That the reading of the names be dispensed with,
Which motion prevailed.

Mr. Day stated the agreement to pair with Mr. Hillier was understood by him to be in force only for the 29th Legislative day, and asked that the Journal be so corrected.

Mr. Sorley moved
That the agreement to pair be amended so as to read "in force for and during the 29th Legislative day,"
Which motion was withdrawn.

Mr. McLean moved
That the Journal of the Joint Session of the 29th day be approved.

Mr. Hurley moved
That the Joint Session do now proceed to take the thirty-second ballot for a United States Senator.

Mr. Kinter raised the point of order that no business was in order until the Journal has been approved.

Mr. President decided the point of order well taken.

The question being upon the approval of the Journal of the Joint Session of the 29th day.

Roll call demanded.

The roll being called there were ayes 84, nays 3.

Those who voted in the affirmative were:

Messrs—

Arnold,
Bidlake,
Brynjolfson,
Burke,
Cashel,
Enger,
Engel,
Fuller,

Messrs—

Young,
Benedict,
Boynton,
Bullard,
Burkhardt,
Caldwell,
Davis,
Deans,

Messrs—

Lohnes,
McArthur,
McCanna,
McCulloch,
McLean,
Newman,
O'Keefe,
Oksendahl,

Messrs—	Messrs—	Messrs—
Gregory,	Ebbighausen,	Pierce,
Haggart,	Elliott,	Plain,
Ink,	Hagen,	Rinde,
Johnson,	Hall,	Sanford,
Kinter,	Hallum,	Satterlund,
Lamb,	Halvorson,	Severson,
Little,	Haugen,	Simpson,
LaMoure,	Hodgson,	Southard,
McCarten,	Holliday,	Strom,
McCormack,	Horgan,	Thexton,
McGillivray,	Hurley,	Thompson,
Miller,	James,	Towers,
Palmer,	Johnson of Sargent,	Tufts,
Patch,	Johnson of G'd Forks,	Ueland,
Pinkham,	Johnston,	Veeder,
Sorley,	Kelly,	Wallen,
Stevens,	Larson,	Wishek,
Svensrud,	Lee,	Wright.
Worst,	Levang,	Yegen,
White,	Logan,	Mr. Speaker.

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Day,	Cochrane,	Havrevold.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Hillier,	Churchill,	Ritter,
Bentley,	Oliver,	Wineman.

Messrs. Churchill and Ritter being excused.

And so the Journal of the Joint Session of the 29th day was approved.

Mr. Hurley moved

That the Joint Assembly do now proceed to take the thirty-second ballot for a United States Senator.

Mr. McLean moved

As a substitute, that the Joint Assembly do now take a recess for one hour.

Mr. LaMoure raised the point of order "that the Joint Assembly cannot take a recess until after one ballot for a United States Senator has been taken."

The point of order withdrawn,

The question being upon the motion to take a recess,

The motion was lost.

The question recurring upon the motion to proceed to take the thirty-second ballot for a United States Senator,

Which motion prevailed.

THIRTY-SECOND BALLOT.

The roll being called there were 88 votes cast, of which Mr.

Casey received 31, Mr. Smith 3, Mr. Kingman 3, Mr. Benton 39, Mr. Pinkham 9, Mr. Walsh 3.

Those who voted for Mr. Casey were:

Messrs. Cashel, Day, Gregory, Haggart, Ink, Little, LaMoure, McGillivray, Miller, Palmer, Svensrud, Worst, White, Benedict, Boynton, Burkhardt, Cochrane, Davis, Halvorson, Havrevold, Newman, Oksendahl, Pierce, Satterlund, Simpson, Southard, Tufts, Veeder, Wishek, Yegen, Mr. Speaker—31.

Those who voted for Mr. Smith were:

Messrs. Pinkham, Young, Wright—3.

Those who voted for Mr. Kingman were:

Messrs. Hurley, Larson, Lohnes—3.

Those who voted for Mr. Benton were:

Messrs. Bidlake, Brynjolfson, Burke, Engle, Kinter, Lamb, McCarten, McCormack, Patch, Stevens, Caldwell, Deans, Ebbighausen, Elliott, Hagen, Hall, Hallum, Hodgson, Holliday, Horgan, James, Johnson of Sargent, Johnson of Grand Forks, Johnston, Kelly, Lee, Levang, Logan, McCanna, McCulloch, McLean, O'Keefe, Plain, Rinde, Sanford, Thexton, Thompson, Towers, Ueland—39.

Those who voted for Mr. Pinkham were:

Messrs. Arnold, Enger, Fuller, Johnson, Bullard, McArthur, Severson, Strom, Wallen—9.

Those who voted for Mr. Walsh were:

Messrs. Sorley, Haugen, Wineman—3.

Absent and not voting:

Messrs. Hillier, Bentley, Churchill, Oliver and Ritter.

Messrs. Churchill and Ritter being excused.

Mr. Kinter objected to the vote of Mr. Day being recorded on the thirty-second ballot.

Mr. LaMoure moved

That the Joint Assembly do now dissolve.

Roll call demanded.

The roll being called there were ayes 49, nays 39.

Those who voted in the affirmative were:

Messrs—

Arnold,
Cashel,
Day,
Enger,
Fuller,
Gregory,
Haggart,
Ink,
Johnson,
Little,

Messrs—

Worst,
White,
Young,
Benedict,
Boynton,
Bullard,
Burkhardt,
Cochrane,
Davis,
Halvorson,

Messrs—

Lohnes,
McLean,
Newman,
Oksendahl,
Pierce,
Satterlund,
Simpson,
Southard,
Strom,
Tufts,

Messrs—	Messrs—	Messrs—
LaMoure,	Haugen,	Veeder,
McGillivray,	Havrevold,	Wallen,
Miller,	Horgan,	Wineman,
Palmer,	Hurley,	Wishek,
Pinkham,	James,	Yegen,
Sorley,	Larson,	Mr. Speaker.
Svensrud,		

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Bidlake,	Elliott,	McArthur,
Brynjolfson,	Hagen,	McCanna,
Burke,	Hall,	McCulloch,
Engle,	Hallum,	O'Keefe,
Kinter,	Hodgson,	Plain,
Lamb,	Holliday,	Rinde,
McCarten,	Johnson of Sargent,	Sanford,
McCormack,	Johnson of G'd Forks,	Severson,
Patch,	Johnston,	Thexton,
Stevens,	Kelly,	Thompson,
Caldwell,	Lee,	Towers,
Deans,	Levang,	Ueland,
Ebbighausen,	Logan,	Wright.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Hillier,	Ritter.
Churchill,	Oliver,	

Messrs. Hillier, Churchill and Ritter being excused.

So the motion prevailed and the Joint Session dissolved.

J. G. HAMILTON,
Clerk of the Joint Session.

The House reassembled.

Mr. McLain moved

That the House do now adjourn,

Which motion prevailed,

And the House adjourned.

J. G. HAMILTON,
Chief Clerk.

THIRTY-FIRST DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 2, 1893.

The House assembled at 12 o'clock noon pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All members present except Messrs. Bentley and Oliver.

The committee to revise and correct the Journal made the following report:

MR. SPEAKER:

Your committee to revise and correct the Journal have examined the same and report the Journal of the House proceedings of the 30th day to be correct.

D. C. TUFTS,
Chairman.

There being no objections, the report of the committee was adopted and the Journal of the House proceedings of the 30th day was approved.

Mr. Speaker appointed Messrs. Cochrane, Lee and Johnson of Sargent a committee to notify the Senate that the House was in readiness to receive the Senate in Joint Session to ballot for a United States Senator.

The Sergeant-at-Arms announced the Lieutenant Governor, members of the Senate and officers thereof, with the House committee escorting, in waiting.

JOINT SESSION.

The Joint Session of the two Houses was called to order by the Lieutenant-Governor, the President of the Senate.

The rolls of the respective Houses were called.

All members present except Messrs. Hillier, Bentley and Oliver.

The Journal of the Joint Session of the 30th Legislative day was read.

Mr. Svensrud moved

That the reading of the names be dispensed with,

Which motion prevailed.

There being no objection, the Journal of the Joint Session of the 30th Legislative day was approved.

Mr. McGillivray moved

That the Joint Session do now proceed to take the thirty-third ballot for a United States Senator,

Which motion prevailed, and

The Joint Session proceeded to take the thirty-third ballot.

THIRTY-THIRD BALLOT.

The roll being called there were 90 votes cast, of which Mr. Casey received 31, Mr. Shortridge 39, Mr. Anderson 1, Mr. Smith 8, Mr. Kingman 6, Mr. Axvig 1, Mr. Ordway 1, Mr. Walsh 3.

Those who voted for Mr. Casey were:

Messrs. Arnold, Cashel, Day, Gregory, Haggart, Ink, Little, LaMoire, McGillivray, Miller, Palmer, Svensrud, Worst, White, Benedict, Boynton, Burkhardt, Cochrane, Davis, Havrevold, Lohnes, Newman, Oksendahl, Pierce, Satterlund, Simpson, Southard, Tufts, Veeder, Wishek, Mr. Speaker—31.

Those who voted for Mr. Smith were:

Messrs. Fuller, Pinkham, Bullard, Churchill, McArthur, Ritter, Severson, Wright—8.

Those who voted for Mr. Kingman were:

Messrs. Johnson, Young, Hurley, Larson, Strom, Wallen—6.

Those who voted for Mr. Shortridge were:

Messrs. Bidlake, Brynjolfson, Burke, Engle, Kinter, Lamb, McCarten, McCormack, Patch, Stevens, Caldwell, Deans, Ebbighausen, Elliott, Hagen, Hall, Hallum, Hodgson, Holliday, Horgan, James, Johnson of Sargent, Johnson of Grand Forks, Johnston, Kelly, Lee, Levang, Logan, McCanna, McCulloch, McLean, O'Keefe, Plain, Rinde, Sanford, Thexton, Thompson, Towers, Ueland—39.

Those who voted for Mr. Walsh were:

Messrs. Sorley, Haugen, Wineman—3.

Mr. Enger voted for Mr. Anderson.

Mr. Halvorson voted for Mr. Axvig.

Mr. Yegen voted for Mr. Ordway.

Absent and not voting:
Messrs. Hillier, Bentley and Oliver.

Mr. Kinter moved

That the Joint Session do now proceed to take the thirty-fourth ballot.

Mr. Wineman moved

As a substitute that the Joint Session do now dissolve.

Roll call demanded.

The roll being called there were ayes 46, nays 44.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Arnold,	Worst,	McArthur.
Cashel,	White,	Newman,
Day,	Young,	Oksendahl,
Enger,	Benedict,	Pierce,
Gregory,	Boynton,	Satterlund,
Haggart,	Burkhardt,	Simpson,
Ink,	Churchill,	Southard,
Johnson,	Cochrane,	Strom,
Little,	Davis,	Tufts,
LaMoure,	Halvorson,	Veeder.
McGillivray,	Haugen,	Wallen,
Miller,	Havrevold,	Wineman,
Palmer,	Hurley,	Wishek,
Pinkham,	Larson,	Yegen,
Sorley,	Lohnes,	Mr. Speaker.
Svensrud,		

Those voting in the negative were:

Messrs—	Messrs—	Messrs—
Bidlake,	Elliott,	McCanna,
Brynjolfson,	Hagen,	McCulloch,
Burke,	Hall,	McLean,
Engle,	Hallum,	O'Keefe,
Fuller,	Hodgson,	Plain,
Kinter,	Holliday,	Rinde,
Lamb,	Horgan,	Ritter,
McCarten,	James,	Sanford,
McCormack,	Johnson of Sargent,	Severson,
Patch,	Johnson of G'd Forks,	Thexton,
Stevens,	Johnston,	Thompson,
Bullard,	Kelly,	Towers,
Caldwell,	Lee,	Ueland,
Deans,	Levang,	Wright.
Ebbighausen,	Logan,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Hillier,	Bentley,	Oliver.

So the motion to dissolve the Joint Session prevailed, and
The Joint Session dissolved.

J. G. HAMILTON,
Clerk of the Joint Session.

House reassembled.

Mr. Johnson of Grand Forks moved
That the House do now adjourn.

Roll call demanded.

The roll being called there were ayes 24, nays 35.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Boynton,	Johnson of G'd Forks,	Ritter,
Burkhardt,	Larson,	Satterlund,
Churchill,	Lee,	Severson,
Cochrane,	Lohnes,	Simpson,
Hall,	McArthur,	Tufts,
Halvorson,	Newman,	Wishek,
Havrevold,	Oksendahl,	Wright,
Hurley,	Pierce,	Yegen.

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Benedict,	James,	Sanford,
Bullard,	Johnson of Sargent,	Southard,
Caldwell,	Johnston,	Strom,
Davis,	Kelly,	Thexton,
Deans,	Levang,	Thompson,
Elliott,	Logan,	Towers,
Hagen,	McCanna,	Ueland,
Hallum,	McCulloch,	Veeder,
Haugen,	McLean,	Wallen,
Hodgson,	O'Keefe,	Wineman,
Holliday,	Plain,	Mr. Speaker.
Horgan,	Rinde,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Ebbighausen,	Oliver.

So the motion to adjourn was lost.

Mr. McCanna moved
That the House do now take a recess for fifteen minutes,
Which motion prevailed, and
The House took a recess.

House reassembled.

INTRODUCTION AND FIRST READING OF BILLS, JOINT RESOLUTIONS AND MEMORIALS.

Mr. Boynton introduced—
House Bill No. 125,
A bill for an act to regulate the appointing of boiler inspectors
and examiners for the State of North Dakota,
Which was read the first time.

Mr. Benedict introduced—
House Bill No. 126,
A bill for an act to define the powers and duties of county and

city boards of health and for the prevention and suppression of contagious, infectious and epidemic diseases,

Which was read the first time.

Mr. Ueland introduced—

House Bill No. 127,

A bill for an act to establish an experimental station for purposes of irrigation,

Which was read the first time.

Mr. Johnson introduced—

House Bill No. 128,

A bill for an act to amend section 2578 of the Compiled Laws of 1887, relating to divorces,

Which was read the first time.

Mr. Hall introduced—

House Bill No. 129,

A bill for an act to amend section 137 of chapter 13 of the Laws of 1891,

Which was read the first time.

Mr. McCanna introduced—

House Bill No. 130,

A bill for an act to refund \$744.53 to Towner county for over-paid taxes to the State,

Which was read the first time.

Mr. Newman introduced—

House Bill No. 131,

A bill for an act to amend and re-enact chapter 140 of the Laws of 1890,

Which was read the first time.

Mr. McCanna introduced—

House Bill No. 132,

A bill for an act to amend section 600 of the Code of Civil Procedure, being section 5414 of the Compiled Laws of 1887,

Which was read the first time.

Mr. Newman introduced—

House Bill No. 133,

A bill for an act to amend and re-enact sections 2, 6 and 7 of article 9 of chapter 73 of the Laws of 1887, being sections 917, 921 and 922 of the Compiled Laws,

Which was read the first time.

SECOND READING OF HOUSE BILLS, JOINT RESOLUTIONS AND
MEMORIALS.

House Bill No. 119,

A bill for an act to amend section 1 of chapter 42 of the Session Laws of 1889, being an act authorizing and empowering organized counties of North Dakota to erect county buildings for

court house and jail purposes, and to issue and dispose of bonds to provide funds to pay therefor, and to provide for the payment of the principal and interest of such bonds,

Was read the second time and referred to the Committee on Counties and County Boundaries.

House Bill No. 120,

A bill for an act to amend sections 1, 6, 8, 13 and 14 of chapter 161 of the Session Laws of 1890, creating an institute for the education of the deaf and dumb of North Dakota, and providing for its support and management,

Was read the second time and referred to the Joint Committee on Charitable Institutions.

House Bill No. 121,

A bill for an act to provide for the formation of school districts comprising less than a civil or congressional township,

Was read the second time and referred to the Committee on Education.

House Bill No. 122,

A bill for an act to amend section 3 of an act passed by the First Legislative Assembly of the State of North Dakota, approved March 7, 1890, and entitled "An act providing for the retention and disposal of estrays," in relation to notice,

Was read the second time and referred to the Committee on Agriculture.

House Bill No. 123,

A bill for an act to legalize and confirm town site proceedings and to limit the time within which the validity thereof may be questioned,

Was read the second time and referred to the Judiciary Committee.

House Bill No. 124,

A bill for an act to prevent the spread of contagious and infectious diseases among domestic animals,

Was read the second time and referred to the Committee on Agriculture.

Mr. Wineman moved

That the House do now adjourn,

Which motion prevailed, and

The House adjourned.

J. G. HAMILTON,
Chief Clerk.

THIRTY-SECOND DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 3, 1893.

The House assembled at 12 o'clock noon, pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All members present except Messrs. Bentley, Boynton and Oliver, Mr. Boynton being excused.

The committee to examine and correct the Journal made the following report:

MR. SPEAKER:

Your committee to revise and correct the Journal have examined the Journal of the House proceedings of the 31st day and find the same to be correct.

D. C. TUFTS,
Chairman.

There being no objections, the report of the committee was adopted and the Journal of the House proceedings of the 31st day was approved.

Mr. Speaker appointed Messrs. Simpson, Burkhardt and Severson a committee to notify the Senate that the House was in readiness to receive the Senate in Joint Session to ballot for a United Senator.

The Sergeant-at-Arms announced the President pro tem. of the Senate, the members and officers thereof, with the House Committee escorting, in waiting.

JOINT SESSION.

The Joint Session of the two Houses was called to order by the President pro tem. of the Senate.

The rolls of the respective Houses were called.

All members present except Mr. Hillier of the Senate and Messrs. Bentley, Boynton and Oliver of the House, Mr. Boynton being excused.

The Journal of the Joint Session of the 31st legislative day was read.

Mr. Sorley moved

That the reading of the names be dispensed with,

Which motion prevailed.

There being no objections, the Journal of the Joint Session of the 31st legislative day was approved.

Mr. Sorley moved

That the Joint Session do now proceed to take the thirty-fourth ballot for a United States Senator,

Which motion prevailed, and

The Joint Session proceeded to take the thirty-fourth ballot.

THIRTY-FOURTH BALLOT.

The roll being called there were 89 votes cast, of which Mr. Casey received 18, Mr. Roach 39, Mr. Anderson 7, Mr. Smith 6, Mr. Kingman 1, Mr. Johnson 10, Mr. Palmer 5, Mr. Worst 3.

Those who voted for Mr. Casey were:

Messrs. Cashel, Gregory, Haggart, Ink, Little, McGillivray, Miller, Worst, White, Burkhardt, Newman, Pierce, Satterlund, Simpson, Southard, Tufts, Veeder, Wisnek—18.

Those who voted for Mr. Worst were:

Messrs. Cochrane, Yegen, Mr. Speaker—3.

Those who voted for Mr. Roach were:

Messrs. Bidlake, Brynjolfson, Burke, Engle, Kinter, Lamb, McCarten, McCormack, Patch, Stevens, Caldwell, Deans, Ebbighausen, Elliott, Hagen, Hall, Hallum, Hodgson, Holliday, Horgan, James, Johnson of Sargent, Johnson of Grand Forks, Johnston, Kelly, Lee, Levang, Logan, McCanna, McCulloch, McLean, O'Keefe, Plain, Rinde, Sanford, Thexton, Thompson, Towers, Ueland—39.

Those who voted for Mr. Anderson were:

Messrs. Arnold, Enger, Sorley, Benedict, Halvorson, Haugen, Wineman—7.

Those who voted for Mr. Smith were:

Messrs. Bullard, Churchill, McArthur, Ritter, Severson, Wright—6.

Those who voted for Mr. Johnson were:

Messrs. Day, Fuller, LaMoure, Palmer, Pinkham, Young, Hurley, Larson, Strom, Wallen—10.

Those who voted for Mr. Palmer were:

Messrs. Svensrud, Davis, Havrevold, Lohnes, Oksendahl—5.

Mr. Johnson voted for Mr. Kingman.

Absent and not voting:

Messrs. Hillier, Bentley, Boynton and Oliver.

Mr. Boynton being excused.

Mr. LaMoure moved

That the Joint Session do now dissolve.

Roll call demanded.

The roll being called there were ayes 49, nays 40.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Arnold,	Worst,	Oksendahl,
Svensrud,	White,	Pierce,
Cashel,	Young,	Ritter,
Day,	Benedict,	Satterlund,
Enger,	Bullard,	Severson,
Fuller,	Burkhardt,	Simpson,
Gregory,	Churchill,	Southard,
Haggart,	Cochrane,	Strom,
Ink,	Davis,	Tufts,
Johnson,	Haugen,	Veeder,
Little,	Havrevold,	Wallen,
LaMoure,	Hurley,	Wineman,
McGillivray,	Larson,	Wishek,
Miller,	Lohnes,	Wright,
Palmer,	McArthur,	Yegen,
Pinkham,	Newman,	Mr. Speaker.
Sorley,		

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Ridlake,	Hagen,	Levang,
Brynjolfson,	Hall,	Logan,
Burke,	Hallum,	McCanna,
Engle,	Halvorson,	McCulloch,
Kinter,	Hodgson,	McLean,
Lamb,	Holliday,	O'Keefe,
McCarten,	Horgan,	Plain,
McCormack,	James,	Rinde,
Patch,	Johnson of Sargent,	Sanford,
Stevens,	Johnson of G'd Forks,	Thexton,
Caldwell,	Johnston,	Thompson,
Deans,	Kelly,	Towers,
Ebbighausen,	Lee,	Ueland.
Elliott,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Hillier,	Oliver,
Boynton,		

Mr. Oliver being excused.

So the motion to dissolve the Joint Session prevailed, and
The Joint Session dissolved.

J. G. HAMILTON,
Clerk of the Joint Session.

House reassembled.

Mr. Hurley moved
That the House do now adjourn,
Which motion was lost.

REPORTS OF STANDING COMMITTEES.

The Committee on Forestry made the following report:

MR. SPEAKER:

Your Committee on Forestry, to whom was referred
House Bill No. 3,

A bill for an act repealing an act entitled "An act creating the
office of State Superintendent of Irrigation and Forestry, and
prescribing the duties thereof,"

Have had the same under consideration and recommend that
the same do pass.

D. W. McCANNA,
Chairman.

Which was referred to the Committee on Engrossment.

The Judiciary Committee made the following report:

MR. SPEAKER:

Your Judiciary Committee, to whom was referred
House Bill No. 18,

A bill for an act to amend chapter 26 of the General Laws of 1889,
entitled "An act to give publicity to chattel mortgage sales, as
amended by chapter 40 of the General Laws of 1890, by adding
after section 9 of said chapter 26 the following sections as sec-
tions 10, 11 and 12 of said chapter 26,"

Have had the same under consideration, and recommend that
the same be amended as follows:

That section ten (10) of said bill be amended to read as follows:

Sec. 10. That any mortgagor of personal property, or his grantee or
assignee, shall be permitted to redeem from any sale of chattels, under any
mortgage hereafter executed, within five (5) days after said sale, exclusive of
the day of sale, by depositing with the owner of the mortgage, at the date of
sale, his attorney or agent, or the sheriff of the county where the sale was
made, when sale is made by said sheriff, the amount for which said property
was sold, with the costs of sale and interest at the rate of seven per cent. per
annum from date of sale, and the sheriff or other person making such sale
is to retain the possession of the property sold until the expiration of said
five days, and shall be entitled to his reasonable expense in caring for the
same.

Your committee, further than this amendment, make no recommendation

Which was referred to general orders.

Also,

House Bill No. 86,

A bill for an act to amend section 201 of the Code of Civil Procedure, in relation to attachment,

Have had the same under consideration and recommend that the same do pass.

Which was referred to the Committee on Engrossment.

Also,

House Bill No. 72,

A bill for an act to amend subdivision 5 of section 24 of chapter 120 of the Laws of 1891, regulating appeals from the district court to the Supreme Court,

Have had the same under consideration and recommend that the same do pass.

Which was referred to the Committee on Engrossment.

Also,

House Bill No. 46,

A bill for an act to amend section 1 of chapter 25 of the Laws of 1887, being section 5066 of the Compiled Laws,

Have had the same under consideration and recommend that the title of the same be amended to read as follows:

“An act to amend section 1 of chapter 25 of the Laws of 1887, entitled ‘An act to amend sections 266 and 268 of chapter 12 of the Code of Civil Procedure, relating to trials and judgments in civil actions,’ the same being section 5066 of the Compiled Laws.

That section 1 of said bill be amended as follows:

In line 9 of the printed bill after the word “issue” strike out the word “or” and substitute in lieu thereof the word “of.” That the word “hereafter” in line 13 of the printed bill be stricken out and the word “hereinbefore” be substituted in lieu thereof. That the words “the preceding” in line 23 of the printed bill be stricken out, and the word “this” be substituted in lieu thereof,

And when so amended, recommend that the same do pass.

Which was referred to general orders.

Also,

House Bill No. 76,

A bill for an act allowing persons convicted of crime to testify in civil or criminal actions,

Have had the same under consideration and recommend that the same do pass.

SETH NEWMAN,
Chairman.

Which was referred to the Committee on Engrossment.

Mr. Strom moved
That the House do now adjourn.

Roll call demanded.

The roll being called there were ayes 26, nays 30.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Bullard,	Larson,	Southard,
Burkhardt,	Lee,	Strom,
Churchill,	Lohnes,	Tufts,
Cochrane,	McArthur,	Wallen,
Davis,	Newman,	Wineman,
Deans,	Ritter,	Wishek,
Haugen,	Satterlund,	Wright,
Halvorson,	Severson,	Yegen.
Hurley,	Simpson,	

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Benedict,	Johnson of Sargent,	Pierce,
Caldwell,	Johnson of G'd Forks,	Plain,
Ebbighausen,	Johnston,	Rinde,
Elliott,	Kelly,	Sanford,
Hagen,	Levang,	Thexton,
Hallum,	Logan,	Thompson,
Hodgson,	McCanna,	Towers,
Holliday,	McCulloch,	Ueland,
Horgan,	McLean,	Veeder,
James,	O'Keefe,	Mr. Speaker.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Hall,	Oksendahl,
Boynton,	Havrevold,	Oliver.

Mr. Boynton being excused.

So the motion to adjourn was lost.

MOTIONS AND RESOLUTIONS.

Mr. Wineman offered the following Concurrent Resolution:

CONCURRENT RESOLUTION.

WHEREAS, Experience has demonstrated that the interests of the people would be best served by the election of United States senators by the vote of the people of the various states, therefore, be it

Resolved, By the House of Representatives of the State of North Dakota, the Senate concurring: That our Representatives in Congress are hereby requested to use all honorable means to secure the submission of an amendment to the Constitution of the United States providing for the election of United States senators by the direct vote of the people.

Mr. Deans moved

That the Concurrent Resolution be adopted,
Which motion prevailed, and
The Concurrent Resolution was adopted.

Mr. Haugen moved
That the House do now adjourn,
Which motion was lost.

INTRODUCTION AND FIRST READING OF BILLS, JOINT RESOLUTIONS
AND MEMORIALS.

Mr. Lohnes introduced—
House Bill No. 134,
A bill for an act to amend section 3 of chapter 58 of the Laws
of 1887,
Which was read the first time.

Mr. Ebbighausen introduced—
House Bill No. 135,
A bill for an act to amend section 9 of chapter 121 of the Session
Laws of Dakota for 1887,
Which was read the first time.

Also,
House Bill No. 136,
A bill for an act to amend sections 1 and 4 of chapter 121 of
the Session Laws of Dakota for 1887,
Which was read the first time.

Mr. Johnson introduced—
House Bill No. 137,
A bill for an act to amend section 2 of chapter 69 of the Laws
of 1891,
Which was read the first time.

Mr. Veeder introduced—
House Bill No. 138,
A bill for an act to authorize boards of County Commissioners
in counties that contain a population of less than six thousand,
as shown by the census of 1890, to dispose of and tear down
buildings owned by the county and not used for county purposes,
when petitioned therefor by one hundred or more of the voters
of the county, when the public interest and public safety will
thereby be promoted,
Which was read the first time.

Mr. Plain introduced—
House Bill No. 139,
A bill for an act to amend section 62 of chapter 132 of the
Laws of 1890, and to add another section thereto regulating fees
of officers under said act,
Which was read the first time.

Mr. Haugen introduced—
House Bill No. 140,

A bill for an act making an appropriation for necessary buildings and improvement of the grounds now owned by the State for State fair purposes,

Which was read the first time.

Mr. Hurley moved
That the House do now adjourn,
Which motion was lost.

SECOND READING OF HOUSE BILLS.

House Bill No. 125,

A bill for an act to regulate the appointing of boiler inspectors and examiners for the State of North Dakota,

Was read the second time and referred to the Committee on Agriculture.

House Bill No. 126,

A bill for an act to define the powers and duties of county and city boards of health and for the prevention and suppression of contagious, infectious and epidemic diseases,

Was read the second time and referred to the Committee on Public Health.

House Bill No. 127,

A bill for an act to establish an experimental station for purposes of irrigation,

Was read the second time and referred to the Committee on State Affairs.

House Bill No. 128,

A bill for an act to amend section 2578 of the Compiled Laws of 1887, relating to divorces,

Was read the second time and referred to the Judiciary Committee.

House Bill No. 129,

A bill for an act to amend section 137 of chapter 13 of the Laws of 1891,

Was read the second time and referred to the Committee on Education.

House Bill No. 130,

A bill for an act to refund \$744.53 to Towner county for overpaid taxes to the State,

Was read the second time and referred to the Committee on Taxation and Tax Laws.

House Bill No. 131,

A bill for an act to amend and re-enact chapter 140 of the Laws of 1890,

Was read the second time and referred to the Committee on Taxation and Tax Laws.

House Bill No. 132,

A bill for an act to amend section 600 of the Code of Civil Procedure, being section 5414 of the Compiled Laws of 1887,

Was read the second time and referred to the Committee on Public Printing.

House Bill No. 133,

A bill for an act to amend and re-enact sections 2, 6 and 7 of article 9 of chapter 73 of the Laws of 1887, being sections 917, 921 and 922 of the Compiled Laws,

Was read the second time and referred to the Committee on Taxation and Tax Laws.

Mr. Haugen moved

That the House do now adjourn.

Mr. Ueland moved

As an amendment, that when the House adjourns, it adjourns to meet at 10 o'clock to-morrow,

Which amendment was lost.

The motion recurring upon the motion to adjourn.

Roll call demanded.

The roll being called there were ayes 30, nays 26.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Holliday,	Satterlund,
Bullard,	Hurley,	Severson,
Burkhardt,	Larson,	Simpson,
Churchill,	Lee,	Southard.
Cochrane,	Lohnes,	Strom,
Davis,	McArthur,	Tufts,
Deans,	Newman,	Wallen,
Halvorson,	Oksendahl,	Wineman,
Haugen,	Pierce,	Wright,
Havrevold,	Ritter,	Yegen.

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Caldwell,	Johnson of G'd Forks,	Plain,
Ebbighausen,	Johnston,	Rinde,
Elliott,	Kelly,	Sanford,
Hagen,	Levang,	Thexton,
Hall,	Logan,	Thompson,
Hallum,	McCanna,	Towers,
Hodgson,	McCulloch,	Ueland,
James,	McLean,	Veeder,
Johnson of Sargent,	O'Keefe,	Mr. Speaker.

Absent and not voting:

Messrs—

Bentley,
Boynton,

Messrs—

Horgan,
Oliver,

Messrs—

Wishek.

Mr. Boynton being excused.

So the motion to adjourn prevailed, and
The House adjourned.J. G. HAMILTON,
Chief Clerk.

THIRTY-THIRD DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 4, 1893.

The House assembled at 12 o'clock noon pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All members present except Messrs. Bentley, Deans and Oliver, Mr. Deans being excused.

The committee to examine and correct the Journal made the following report:

MR. SPEAKER:

Your committee to revise and correct the Journal have examined the same and recommend that the Journal of the House proceedings of the 32d day be corrected by adding on page 4 "House reassembled and the reports of Standing Committees," which are omitted therefrom.

D. C. TUFTS,
Chairman.

There being no objections, the report of the committee was adopted, and the Journal approved as corrected.

Mr. Speaker appointed Messrs. Larson, Ritter and Burkhardt a committee to notify the Senate that the House was in readiness to receive the Senate in Joint Session to ballot for a United States Senator.

The Sergeant-at-Arms announced the Lieutenant Governor, members of the Senate and officers thereof, with the House Committee escorting, in waiting.

JOINT SESSION.

The Joint Session of the two Houses was called to order by the Lieutenant Governor, the President of the Senate.

The rolls of the respective Houses were called.

All members present except Mr. Hillier of the Senate and Messrs. Bentley, Deans and Oliver of the House.

Messrs. Deans and Southard being paired.

The Journal of the Joint Session of the 32d legislative day was read.

Mr. Hagen moved

That the reading of the names be dispensed with,
Which motion prevailed.

The Journal of the Joint Session of the 32d legislative day was corrected by adding after the name Boynton at the bottom of page 3, the following: "Which motion prevailed, and the Joint Session dissolved. J. G. Hamilton, Clerk of the Joint Session."

An agreement between Messrs. Deans and Southard to pair was read.

Mr. Little moved

That the Joint Session do now proceed to take the thirty-fifth ballot for a United States Senator,
Which motion prevailed.

THIRTY-FIFTH BALLOT.

The roll being called there were 88 votes cast, of which Mr. Casey received 1, Mr. Shortridge 37, Mr. Anderson 10, Mr. Ordway 12, Mr. Walsh 1, Mr. Muir 3, Mr. Palmer 6, Mr. Worst 5, Mr. Smith 1, Mr. Kingman 6, Mr. Newman 1, Mr. Haggart 5.

Those who voted for Mr. Worst were:

Messrs. Cashel, Day, Burkhardt, Simpson, Wishek—5.

Those who voted for Mr. Muir were:

Messrs. Stevens, Lohnes, Yegen—3.

Those who voted for Mr. Anderson were:

Messrs. Arnold, Enger, Ink, Sorley, Benedict, Davis, Halvorson, Haugen, Pierce, Wineman—10.

Those who voted for Mr. Kingman were:

Messrs. Johnson, Bullard, Hurley, Larson, Strom, Wallen—6.

Those who voted for Mr. Shortridge were:

Messrs. Bidlake, Brynjolfson, Burke, Engle, Kinter, Lamb, McCarten, McCormack, Patch, Caldwell, Ebbighausen, Elliott, Hagen, Hall, Hallum, Hodgson, Holliday, Horgan, James, Johnson of Sargent, Johnson of Grand Forks, Johnston, Kelly, Lee, Levang, Logan, McCanna, McCulloch, McLean, O'Keefe, Plain, Rinde, Sanford, Thexton, Thompson, Towers, Ueland—37.

Those who voted for Mr. Haggart were:

Messrs. Little, McGillivray, Miller, Newman, Tufts—5.

Those who voted for Mr. Ordway were:

Messrs. Fuller, LaMoure, Pinkham, Worst, Young, Boynton, Churchill, Cochrane, McArthur, Ritter, Severson, Veeder—12.

Those who voted for Mr. Palmer were:

Messrs. Gregory, Svensrud, White, Havrevold, Oksendahl, Mr. Speaker—6.

Mr. Satterlund voted for Mr. Casey.

Mr. Wright voted for Mr. Smith.

Mr. Haggart voted for Mr. Newman.

Mr. Palmer voted for Mr. Walsh.

Absent and not voting:

Messrs. Hillier, Bentley, Deans and Oliver.

Messrs. Deans and Southard being paired.

Mr. Svensrud moved

That the Joint Assembly do now dissolve.

Roll call demanded.

The roll being called there were ayes 51, nays 37.

Those who voted in the affirmative were:

Messrs—

Arnold,
Cashel,
Day,
Enger,
Fuller,
Gregory,
Haggart,
Ink,
Johnson,
Little,
LaMoure,
McGillivray,
Miller,
Palmer,
Pinkham,
Sorley,
Svensrud,

Messrs—

Worst,
White,
Young,
Benedict,
Boynton,
Bullard,
Burkhardt,
Churchill,
Cochrane,
Davis,
Hagen,
Haugen,
Havrevold,
Horgan,
Hurley,
Larson,
Lohnes,

Messrs—

McArthur,
Newman,
Oksendahl,
Pierce,
Ritter,
Satterlund,
Severson,
Simpson,
Strom,
Tufts,
Veeder,
Wallen,
Wineman,
Wishek,
Wright,
Yegen,
Mr. Speaker.

Those who voted in the negative were:

Messrs—

Bidlake,
Brynjolfson,
Burke,
Engle,
Kinter,
Lamb,
McCarten,
McCormack,
Patch,
Stevens,
Caldwell,
Ebbighausen,
Elliott.

Messrs—

Hall,
Hallum,
Halvorson,
Hodgson,
Holliday,
James,
Johnson of Sargent,
Johnson of G'd Forks,
Johnston,
Kelly,
Lee,
Levang,

Messrs—

Logan,
McCanna,
McCulloch,
McLean,
O'Keefe,
Plain,
Rinde,
Sanford,
Thexton,
Thompson,
Towers,
Ueland.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Hillier,	Southard.
Deans,	Oliver,	

Messrs. Deans and Southard being paired.

So the motion to dissolve the Joint Session prevailed, and
The Joint Session dissolved.

J. G. HAMILTON,
Clerk of the Joint Session.

House reassembled.

Mr. Johnson of Grand Forks moved
That the House do now adjourn,
Which motion was lost.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Plain presented the following petition, which was referred
to the Committee on Agriculture:

MILTON, CAVALIER COUNTY, January 3, 1893.

To the Senate and the House of Representatives of North Dakota:

We, the undersigned citizens of the State of North Dakota, do hereby petition your honorable body to cause to be appointed a committee to investigate and, if possible, to find a remedy to prevent the spreading of the smut in the wheat fields of this State. And if a remedy can be found, we pray that it may be published in the newspapers of the State and given as wide a circulation as possible, as the smut disease has become a pest and a great danger to the wheat crops of the State, and your petitioners will ever pray.

Signed by

JOHN F. ANDERSON,
And Twenty-five Others.

REPORT OF STANDING COMMITTEES.

The Committee on State Affairs made the following report:

MR. SPEAKER:

Your Committee on State Affairs, to whom was referred
House Bill No. 87,

A bill for an act to provide a suitable residence for the Chief
Executive of the State of North Dakota,

Have had the same under consideration and report it back
without recommendation.

L. A. UELAND,
Chairman.

Which was referred to general orders.

Mr. Speaker announced his signature to
Senate Bill No. 5,

Joint Resolution and Memorial of the Senate and House of Rep-
resentatives of the State of North Dakota to the Senate and
House of Representatives of the United States, asking that a part

of the abandoned Fort A. Lincoln Military Reservation be donated to the State of North Dakota for the use of the State Reform School.

MOTIONS AND RESOLUTIONS.

Mr. Elliott introduced the following Concurrent Resolution:

CONCURRENT RESOLUTION.

WHEREAS, Thirty-two days of the Legislative session has passed, and but one bill has reached the Executive, and that rushed through under suspended rules, most of the time having been spent by the Legislature in fruitless efforts to elect a United States Senator; and,

WHEREAS, Thirty-three employes in the Senate were paid for January their daily per diem, amounting to \$149, and fifty-five in the House, their daily per diem amounting to \$256; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring: That the Secretary of the Senate and Chief Clerk of the House are requested to prepare a tabulated statement of the employes of the present Legislature, showing their age, sex, politics, place of residence, when appointed, per diem, when their pay commenced, and what services they have rendered during the present session, stating as near as may be the time they have actually been employed;

And be it further Resolved, That a committee of three from the House and two from the Senate be appointed to investigate the subject of Clerks, and the need of their employment, and report by bill or otherwise, with a view of correcting any evil which has grown, or may grow up, under the present system.

Mr. Elliott moved

That the resolution be adopted.

Mr. Simpson moved

As an amendment, that the resolution lie on the table.

Roll call demanded.

The roll being called there were ayes 27, nays 26.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Boynton,	Larson,	Simpson,
Bullard,	Lohnes,	Tufts,
Burkhardt,	McArthur,	Veeder,
Churchill,	Newman,	Wallen,
Cochrane,	Oksendahl,	Wineman,
Davis,	Pierce,	Wishek,
Haugen,	Ritter,	Wright,
Havrevold,	Satterlund,	Yegen,
Hurley,	Severson,	Mr. Speaker.

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Caldwell,	Johnston,	Plain,
Elliott,	Kelly,	Rinde,
Hagen,	Lee,	Sanford,
Hall,	Levang,	Southard,
Hallum,	Logan,	Thexton,
Hodgson,	McCanna,	Thompson,
James,	McCulloch,	Towers,

Messrs—	Messrs—	Messrs—
Johnson of Sargent,	McLean,	Ueland.
Johnson of G'd Forks,	O'Keefe,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Benedict,	Ebbighausen,	Horgan,
Bentley,	Halvorson,	Oliver,
Deans,	Holliday,	Strom.

So the motion to lie on the table prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, February 4, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith

Senate Bill No. 39,

A bill for an act to amend section 778 of the Civil Code, being section 3401 of the Compiled Laws, relating to the succession of real and personal property.

Also,

Senate Bill No. 56,

A bill for an act to amend section 1 of chapter 88 of the Session Laws of 1883, being section 7599 of the Compiled Laws, relating to reprieves, commutations and pardons.

Also,

Senate Bill No. 42,

A bill for an act defining the boundaries of the Second Judicial District, subdividing the same and fixing the terms of court to be held therein.

Also,

Senate Bill No. 64,

A bill for an act providing for the appointment of notaries public and providing a penalty for violation of the provisions thereof.

Also,

Senate Bill No. 78,

A bill for an act to amend paragraph 40 of chapter 68 of the Laws of 1891.

Also,

Senate Bill No. 26,

A bill for an act to amend sections 2, 3, 4, 5 and 6 of chapter 81, Laws of 1890, relating to the boundaries and subdivisions of the First Judicial District, and fixing the terms of court to be held therein.

Also,

Senate Bill No. 80,

A bill for an act to amend section 20 of chapter 39 of the Political Code, being section 1427 of the Compiled Laws, as to collection and taxation of a jury fee in civil cases.

Also,

Senate Bill No. 44,

A bill for an act forbidding the use of telegraph or telephone lines for certain purposes, and providing a penalty therefor.

Also,

Senate Bill No. 57,

A bill for an act defining the duties of the Attorney General as to escheats.

Which the Senate has passed, and your favorable consideration thereof is respectfully requested.

FRED FALLEY,
Secretary.

Mr. Ueland introduced—

A Concurrent Resolution for an amendment to the Constitution providing for a referendum,

Which was read the first time.

Mr. Ueland moved

That the rules be suspended and that the concurrent resolution be ordered printed before being read,

Which motion prevailed.

INTRODUCTION AND FIRST READING OF HOUSE BILLS, JOINT RESOLUTIONS AND MEMORIALS.

Mr. Benedict introduced—

House Bill No. 141,

A bill for an act to amend section 75 of chapter 62 of the Laws of 1890, entitled "An act to provide for a uniform system of free public schools throughout the State, and to prescribe penalties for violation of provisions thereof,"

Which was read the first time.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, February 4, 1893. }

MR. SPEAKER:

I have the honor to inform your honorable body that the Senate has concurred in the House concurrent resolution petitioning Congress to provide for the election of United States senators by direct vote of the people.

Respectfully,
FRED FALLEY,
Secretary.

SECOND READING OF HOUSE BILLS.

House Bill No. 134,

A bill for an act to amend section 3 of chapter 58 of the Laws of 1887,

Was read the second time and referred to the Committee on Agriculture.

House Bill No. 135,

A bill for an act to amend section 9 of chapter 121 of the Session Laws of Dakota for 1887,

Was read the second time and referred to the Committee on Public Health.

House Bill No. 136,

A bill for an act to amend sections 1 and 4 of chapter 121 of the Session Laws of Dakota for 1887,

Was read the second time and referred to the Committee on Public Health.

House Bill No. 137,

A bill for an act to amend section 2 of chapter 69 of the Laws of 1891,

Was read the second time and referred to the Committee on Agriculture.

House Bill No. 138,

A bill for an act to authorize boards of county commissioners in counties that contain a population of less than six thousand, as shown by the census of 1890, to dispose of and tear down buildings owned by the county and not used for county purposes, when petitioned therefor by one hundred or more of the voters of the county, when the public interest and public safety will thereby be promoted,

Was read the second time and referred to the Committee on Counties and County Boundaries.

House Bill No. 139,

A bill for an act to amend section 62 of chapter 132 of the Laws of 1890, and to add another section thereto regulating fees of officers under said act,

Was read the second time and referred to the Committee on Taxation and Tax Laws.

House Bill No. 140,

A bill for an act making an appropriation for necessary buildings and improvement of the grounds now owned by the State for State fair purposes,

Was read the second time and referred to the Committee on Appropriations.

Mr. Simpson moved

That the House do now adjourn,

Which motion was lost.

THIRD READING OF HOUSE BILLS, JOINT RESOLUTIONS AND MEMORIALS.

House Bill No. 23,

A bill for an act to amend sections 2, 3, 4, 5 and 6 of chapter 81, Session Laws of 1890, relating to the boundaries and subdivisions of the First Judicial District, and fixing the terms of court to be held therein,

Was read the third time and placed upon its final passage.

Mr. Wineman moved

That the rules be suspended and that House Bill No. 23 be amended as follows:

Sec. 4. Commencing with the last word in the fifth line and following of the printed bill to read as follows: "Third Monday in March and the third Monday of November in each year," and to amend section 5 in the fifth line of printed bill by striking out the word "village" and inserting the word "city,"

Which motion prevailed, and

The amendment was adopted,

And the bill referred to the Committee on Engrossed Bills.

The Committee on Engrossed Bills made the following report:

MR. SPEAKER:

Your Committee on Engrossed Bills have examined

House Bill No. 23,

A bill for an act to amend sections 2, 3, 4, 5 and 6 of chapter 81 of the Session Laws of 1890, relating to the boundaries and subdivisions of the First Judicial District, and fixing the terms of court to be held therein.

Also,

House Bill No. 49,

A bill for an act to authorize and regulate within this State the business of commercial agencies, credit companies and guarantee associations,

And find the same correctly engrossed.

J. DEXTER PIERCE,
Chairman.

House Bill No. 49,

A bill for an act to authorize and regulate within this State the business of commercial agencies, credit companies and guarantee associations,

Was read the third time and placed upon its final passage.

Mr. Hurley moved

That House Bill No. 49 be rereferred to the Judiciary Committee,

Which motion prevailed, and

The bill was so referred.

The Committee on Engrossed Bills made the following report:

MR. SPEAKER:

Your Committee on Engrossed Bills have examined
House Bill No. 3,

A bill for an act repealing an act entitled "An act creating the office of State Superintendent of Irrigation and Forestry."

Also,

House Bill No. 72,

A bill for an act to amend subdivision 5 of section 24 of chapter 120 of the Laws of 1891, regulating appeals from the district courts to the supreme court.

Also,

House Bill No. 76,

A bill for an act entitled "An act allowing persons convicted of crime to testify in civil or criminal actions."

Also,

House Bill No. 86,

A bill for an act to amend section 201 of the Code of Civil Procedure, in relation to attachment.

And find the same correctly engrossed.

J. DEXTER PIERCE,
Chairman.

House Bill No. 3,

A bill for an act repealing an act entitled "An act creating the office of State Superintendent of Irrigation and Forestry, and prescribing the duties thereof,"

Was read the third time and placed upon its final passage.

Mr. Strom moved

That House Bill No. 3 be made a special order for Friday, February 10, at 3 o'clock p. m.,

Which motion prevailed.

House Bill No. 72,

A bill for an act to amend subdivision 5 of section 24 of chapter 120 of the Laws of 1891, regulating appeals for the district court to the supreme court,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 44, nays 7.

Those who voted in the affirmative were:

Messrs—

Benedict,
Boynton,
Bullard,
Burkhardt,
Caldwell,
Churchill,
Cochrane,
Davis,

Messrs—

Hodgson,
Hurley,
Johnson of Sargent,
Johnson of G'd Forks,
Johnston,
Lee,
Levang,
Logan,

Messrs—

Sanford,
Satterlund,
Severson,
Simpson,
Southard,
Strom,
Tufts,
Ueland,

Messrs—	Messrs—	Messrs—
Ebbighausen,	McArthur,	Veeder,
Elliott,	McCanna,	Wineman,
Hagen,	Newman,	Wishek,
Hall,	O'Keefe,	Wright,
Halvorson,	Pierce,	Yegen,
Haugen,	Rinde,	Mr. Speaker.
Havrevold,	Ritter,	

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
James,	Lohnes,	Plain,
Kelly,	McLean,	Thexton.
Larson,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Horgan,	Thompson,
Deans,	McCulloch,	Towers,
Hallum,	Oksendahl,	Wallen.
Holliday,	Oliver,	

So the bill passed and the title was agreed to.

Mr. Ueland moved

That the amendment to the Constitution relating to lotteries be taken from the table,

Which motion prevailed.

AMENDMENT.

The Legislative Assembly shall have no power to authorize lotteries or gift enterprises for any purpose, and shall pass laws to prohibit the sale of lottery or gift enterprise tickets.

Mr. Ueland moved

That the amendment be adopted.

The question being upon the adoption of the amendment.

The roll being called there were ayes 54, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	James,	Rinde,
Bullard,	Johnson of Sargent,	Ritter,
Burkhardt,	Johnson of G'd Forks,	Sanford,
Caldwell,	Johnston,	Satterlund,
Churchill,	Kelly,	Severson,
Cochrane,	Larson,	Simpson,
Davis,	Lee,	Strom,
Ebbighausen,	Levang,	Thexton,
Elliott,	Logan,	Thompson,
Hagen,	Lohnes,	Tufts,
Hall,	McArthur,	Ueland,
Hallum,	McCanna,	Veeder,
Halvorson,	McCulloch,	Wallen,
Haugen,	McLean,	Wineman,
Havrevold,	Newman,	Wishek,
Hodgson,	O'Keefe,	Wright,

Messrs—	Messrs—	Messrs—
Horgan,	Pierce,	Yegen,
Hurley,	Plain,	Mr. Speaker.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Holliday,	Southard,
Boynton,	Oksendahl,	Towers.
Deans,	Oliver,	

So the Constitutional Amendment was adopted.

House Bill No. 76,

A bill for an act allowing persons convicted of crime to testify in civil or criminal actions,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 38, nays 15.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Bentley,	James,	Simpson,
Bullard,	Johnson of Sargent,	Southard,
Burkhardt,	Kelly,	Strom,
Caldwell,	Logan,	Tufts,
Churchill,	McArthur,	Ueland,
Cochrane,	McCanna,	Veeder,
Ebbighausen,	McCulloch,	Wallen,
Elliott,	Newman,	Wineman,
Hagen,	O'Keefe,	Wishek,
Hall,	Oksendahl,	Wright,
Halvorson,	Pierce,	Yegen,
Hodgson,	Ritter,	Mr. Speaker.
Hurley,	Satterlund,	

Those voting in the negative were:

Messrs—	Messrs—	Messrs.
Davis,	Johnson of G'd Forks,	Plain,
Hallum,	Larson,	Rinde,
Haugen,	Lee,	Sanford,
Havrevold,	Levang,	Severson,
Horgan,	McLean,	Thexton.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Benedict,	Holliday,	Oliver,
Boynton,	Johnston,	Thompson,
Deans,	Lohnes,	Towers.

So the bill passed and the title was agreed to.

House Bill No. 86,

A bill for an act to amend section 201 of the Code of Civil Procedure, in relation to attachment,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill,

The roll being called there were ayes 53, nays 1.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Johnson of Sargent,	Sanford,
Bullard,	Johnson of G'd Forks,	Satterlund,
Burkhardt,	Kelly,	Severson,
Churchill,	Larson,	Simpson,
Cochrane,	Lee,	Southard,
Davis,	Levang,	Strom,
Ebbighausen,	Logan,	Thexton,
Elliott,	McArthur,	Thompson,
Hagen,	McCanna,	Tufts,
Hall,	McCulloch,	Ueland,
Hallum,	McLean,	Veeder,
Halvorson,	Newman,	Wallen,
Haugen,	O'Keefe,	Wineman,
Havrevold,	Oksendahl,	Wishek,
Hodgson,	Pierce,	Wright,
Horgan,	Plain,	Yegen,
Hurley,	Rinde,	Mr. Speaker.
James,	Ritter,	

Mr. Caldwell voting in the negative.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Holliday,	Oliver,
Boynton,	Johnston,	Towers.
Deans,	Lohnes,	

So the bill passed and the title was agreed to.

Mr. Haugen moved

That the House do now adjourn,

Which motion prevailed, and

The House adjourned.

J. G. HAMILTON,
Chief Clerk.

THIRTY-FIFTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 6, 1893.

The House assembled at 12 o'clock noon pursuant to adjournment.

The House was called to order by J. G. Hamilton, the Chief Clerk, who announced that the Speaker had designated Mr. Ueland to act as Speaker and Col. W. H. Topping to act as Sergeant-at-Arms for this day.

Prayer by the Chaplain.

Roll called.

All members present except Messrs. Bentley, Oliver, Rinde, Ritter and Wright.

Messrs. Caldwell, Deans, Ebbighausen, Elliott, Hallum, Johnson of Grand Forks, Lohnes, McArthur, McCanna, Newman, Southard, Thompson, Tufts and Mr. Speaker being paired.

Mr. Speaker appointed Messrs. Churchill, Kelly and Johnson of Sargent a committee to notify the Senate that the House was in readiness to receive the Senate in Joint Session to ballot for a United States Senator.

The Sergeant-at-Arms announced the Lieutenant-Governor, members of the Senate and officers thereof, with the House committee escorting, in waiting.

JOINT SESSION.

The Joint Session of the two houses was called to order by the Lieutenant-Governor, the President of the Senate.

The rolls of the respective Houses were called.

All members present except Messrs. Fuller, Haggart, Hillier, McCormack, Pinkham and Young of the Senate and Messrs. Bentley, Caldwell, Deans, Ebbighausen, Elliott, Hallum, Johnson

of Grand Forks, Lohnes, McCanna, McArthur, Newman, Oliver, Rinde, Ritter, Southard, Thompson, Tufts, Wright and Mr. Speaker of the House.

Messrs. Fuller, Haggart, McCormack, Young, Caldwell, Deans, Ebbighausen, Elliott, Hallum, Johnson of Grand Forks, Lohnes, McArthur, McCanna, Newman, Southard, Thompson, Tufts and Mr. Speaker being paired.

Agreements to pair were read between Messrs. Haggart and McCormack, Fuller and Elliott, Young and Ebbighausen, Caldwell and Mr. Speaker, Deans and Southard, Hallum and McArthur, Johnson of Grand Forks and Tufts, Lohnes and McCanna, Newman and Thompson.

The Journal of the Joint Session of the 33d legislative day was read.

Mr. Svensrud moved

That the reading of the names be dispensed with,
Which motion prevailed.

There being no objections the Journal of the Joint Session of the 33d legislative day was approved.

Mr. Ueland moved

That the Joint Session do now proceed to take the thirty-sixth ballot for a United States Senator,
Which motion prevailed.

The Joint Session proceeded to take the thirty-sixth ballot.

THIRTY-SIXTH BALLOT.

The roll being called there were 68 votes cast, of which Mr. Roach received 9, Mr. Kingman 6, Mr. Palmer 3, Mr. Lamb 17, Mr. Williams 12, Mr. Worst 6, Mr. Engle 1, Mr. Ordway 1, Mr. LaMoure 1, Mr. Walsh 1, Mr. Winship 1, Mr. Newman 1, Mr. Muir 1, Mr. Anderson 8.

Those who voted for Mr. Worst were:

Messrs. Cashel, Miller, Bullard, Burkhardt, Simpson, Wishek—6.

Those who voted for Mr. Roach were:

Messrs. Bidlake, Brynjolfson, Burke, Engle, Kinter, Lamb, Patch, Holliday, Thexton—9.

Those who voted for Mr. Anderson were:

Messrs. Arnold, Enger, Ink, Sorley, Benedict, Halvorson, Pierce, Plain—8.

Those who voted for Mr. Kingman were:

Messrs. Johnson, Worst, Hurley, Larson, Strom, Wallen—6.

Those who voted for Mr. Palmer were:

Messrs. Day, LaMoure, White—3.

Those who voted for Mr. E. A. Williams were:

Messrs. Gregory, McGillivray, Svensrud, Cochrane, Davis, Haugen, Havrevold, Oksendahl, Satterlund, Severson, Veeder, Yegen—12.

Those who voted for Mr. Lamb were:

Messrs. McCarten, Hagen, Hall, Hodgson, Horgan, James, Johnson of Sargent, Johnston, Kelly, Lee, Levang, Logan, McCulloch, O'Keefe, Sanford, Towers, Ueland—17.

Mr. McLean voted for Mr. Engle.

Mr. Stevens voted for Mr. Muir.

Mr. Little voted for Mr. Walsh.

Mr. Palmer voted for Mr. LaMoure.

Mr. Boynton voted for Mr. Ordway.

Mr. Churchill voted for Mr. Newman.

Mr. Wineman voted for Mr. Winship.

Absent and not voting:

Messrs. Fuller, Haggart, Hillier, McCormack, Pinkham, Young, Bentley, Caldwell, Deans, Ebbighausen, Elliott, Hallum, Johnson of Grand Forks, Lohnes, McCanna, McArthur, Newman, Oliver, Rinde, Ritter, Southard, Thompson, Tufts, Wright and Mr. Speaker.

Messrs. Caldwell, Deans, Ebbighausen, Elliott, Hallum, Johnson of Grand Forks, Lohnes, McArthur, McCanna, Newman, Southard, Thompson, Tufts and Mr. Speaker being paired.

Mr. LaMoure moved

That the Joint Assembly do now dissolve,

Which motion prevailed, and

The Joint Assembly dissolved.

J. G. HAMILTON,
Clerk of the Joint Session.

House reassembled.

Mr. Cochrane moved

That the House do now adjourn,

Which motion prevailed, and

The House adjourned.

J. G. HAMILTON,
Chief Clerk.

THIRTY-SIXTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 7, 1893.

The House assembled at 12 o'clock noon, pursuant to adjournment.

The House was called to order by J. G. Hamilton, Chief Clerk.

Prayer by the Chaplain.

Mr. Wineman moved

That Mr. Ueland be elected Speaker for the day,

Which motion prevailed and Mr. Ueland took the chair.

Roll called.

All members present except Messrs. Caldwell, Bentley, Deans, Ebbighausen, Elliott, Hallum, Halvorson, Horgan, James, Johnson of Grand Forks, Levang, Logan, Lee, McArthur, McCanna, McLean, Newman, Oksendahl, Oliver, Plain, Rinde, Sanford, Satterlund, Southard, Thompson, Towers, Tufts, Wishek and Mr. Speaker.

Messrs. Caldwell, Deans, Ebbighausen, Elliott, Hallum, Halvorson, Haugen, Havrevold, Horgan, Johnson of Grand Forks, Lee, McArthur, McCanna, McLean, Newman, Plain, Satterlund, Sanford, Southard, Thompson, Towers, Tufts and Wishek being paired.

The committee appointed to revise and correct the Journal made the following report:

MR. SPEAKER:

Your committee to revise and correct the Journal have examined the Journals of the House proceedings of the 33d and 35th days and find the same to be correct.

L. A. UELAND,
RALPH HALL,
Committee.

There being no objections, the report of the committee was adopted and the Journals of the House proceedings of the 33d and 35th days were approved.

Mr. Speaker appointed Messrs. Bullard, Hodgson and Horgan a committee to notify the Senate that the House was in readiness to receive the Senate in Joint Session to ballot for a United States Senator.

The Sergeant-at-Arms announced the Lieutenant Governor members of the Senate, and officers thereof, with the House Committee escorting, in waiting.

JOINT SESSION.

The Joint Session of the two Houses was called to order by the Lieutenant-Governor, the President of the Senate.

The rolls of the respective Houses were called.

All members present except Messrs. Arnold, Fuller, Hillier, Ink, McCarten, Pinkham, Worst and Young of the Senate and Messrs. Bentley, Caldwell, Deans, Ebbighausen, Elliott, Hallum, Halvorson, Haugen, Havrevold, Horgan, Johnson of Grand Forks, Lee, McArthur, McLean, Newman, Plain, Sanford, Satterlund, Southard, Thompson, Towers, Tufts, Wishek and Mr. Speaker of the House.

Messrs. Arnold, Fuller, Ink, McCarten, Worst, Young, Caldwell, Deans, Ebbighausen, Elliott, Hallum, Halvorson, Haugen, Havrevold, Horgan, Johnson of Grand Forks, Lee, McArthur, McLean, Newman, Plain, Sanford, Satterlund, Southard, Thompson, Towers, Tufts and Wishek being paired.

Agreements to pair were read between Messrs. Sanford and Satterlund, McLean and Wishek, Havrevold and Plain, Caldwell and Arnold, Worst and Towers, Fuller and Elliott, Hallum and McArthur, Ebbighausen and Young, Newman and Thompson, Deans and Southard, Halvorson and Lee, Tufts and Johnson of Grand Forks, Haugen and Horgan, Ink and McCarten.

The Journal of the Joint Session of the 35th Legislative day was read.

Mr. Horgan moved

That the reading of the names be dispensed with,

Which motion prevailed.

There being no objection, the Journal of the Joint Session of the 35th Legislative day was approved.

Mr. Haggart moved

That the Joint Session do now proceed to take the thirty-seventh ballot for a United States Senator,

Which motion prevailed, and

The Joint Session proceeded to take the thirty-seventh ballot.

THIRTY-SEVENTH BALLOT.

The roll being called there were 55 votes cast, of which Mr. Casey received 1, Mr. Worst 1, Mr. Roach 2, Mr. Anderson 4, Mr. Muir 2, Mr. Kingman 6, Mr. Palmer 1, Mr. Engle 11, Mr. Allin 3, Mr. Stephan 5, Mr. LaMaure 8, Mr. Lamb 5, Mr. Burke 1, Mr. Lounsbury 1, Mr. Edwards 1, Mr. Newman 1, Mr. Oliver 1, Mr. Burkhardt 1.

Those who voted for Mr. Casey were:
Messrs. Stevens, Bullard, Kelly—3.

Those who voted for Mr. Anderson were:
Messrs. Enger, Sorley, Svensrud, Pierce—4.

Those who voted for Mr. Kingman were:
Johnson, Churchill, Hurley, Larson, Strom, Wallen—6.

Those who voted for Mr. Engle were:
Messrs. Bidlake, Brynjolfson, Burke, Kinter, McCormack, Patch, Hall, Holliday, Johnston, O'Keefe, Thexton—11.

Those who voted for Mr. Allin were:
Messrs. Cashel, Ritter, Severson—3.

Those who voted for Mr. Stephan were:
Messrs. Gregory, McGillivray, Miller, Simpson, Veeder—5.

Those who voted for Mr. LaMoure were:
Messrs. Lamb, Little, White, Boynton, Hagen, James, Wright, Yegen.—8 .

Those who voted for Mr. Lamb were:
Messrs. LaMoure, Hodgson, Johnson of Sargent, McCulloch, Ueland—5.

Mr. Day voted for Mr. Casey.

Mr. Cochrane voted for Mr. Worst.

Mr. Engle voted for Mr. Roach.

Mr. Haggart voted for Mr. Newman.

Mr. Palmer voted for Mr. Burkhardt.

Mr. Benedict voted for Mr. A. H. Burke.

Mr. Burkhardt voted for Mr. Palmer.

Mr. Davis voted for Mr. Lounsbury.

Mr. Lohnes voted for Mr. Edwards.

Mr. Wineman voted for Mr. Oliver.

Absent and not voting:

Messrs. Arnold, Fuller, Hillier, Ink, McCarten, Pinkham, Worst, Young, Bentley, Caldwell, Deans, Ebbighausen, Elliott, Hallum, Halvorson, Haugen, Havrevold, Horgan, Johnson of Grand Forks, Lee, McArthur, McLean, Newman, Plain, Sanford,

Satterlund, Southard, Thompson, Towers, Tufts, Wishek and Mr. Speaker.

Messrs. Arnold, Fuller, Ink, McCarten, Worst, Young, Caldwell, Deans, Ebbighausen, Elliott, Hallum, Halvorson, Haugen, Havrevold, Horgan, Johnson of Grand Forks, Lee, McArthur, McLean, Newman, Plain, Sanford, Satterlund, Southard, Thompson, Towers Tufts and Wishek being paired.

Mr. Haggart moved

That the Joint Session do now dissolve,

Which motion prevailed, and

The Joint Assembly dissolved.

J. G. HAMILTON,
Clerk of the Joint Session.

House reassembled.

Mr. Boynton moved

That the House do now adjourn,

Which motion prevailed,

And the House adjourned.

J. G. HAMILTON,
Chief Clerk.

THIRTY-SEVENTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 8, 1893.

The House assembled at 12 o'clock noon pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All members present except Messrs. Bentley, Boynton, Deans, Ebbighausen, Elliott, Hallum, Johnson of Grand Forks, McArthur, Newman, Oliver, Rinde, Thompson and Tufts.

Messrs. Johnson of Grand Forks, Thompson and Towers and Tufts being paired.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, February 8, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith
Senate Bill No. 96,

A bill for an act to amend section 3 of chapter 53 of the Laws of 1887, relating to the support of fire departments,

Which the Senate has passed, and your favorable consideration thereof is respectfully requested.

FRED FALLEY,
Secretary.

Mr. Strom introduced the following resolution and moved its adoption:

Be it resolved, That from and after to-day, and until otherwise ordered, the House shall continue in session until 5 o'clock p. m. every day, for the purpose of doing effective legislative work; and

Be it further resolved, That the chairmen of the respective committees be requested to call their committees together every evening and every fore-

noon and consider the bills in their hands and report the bills back to the House as soon as possible.

Mr. Ueland moved

To amend by striking out "continue in session until 5 o'clock p. m.," and insert "meet at 10 o'clock a. m.,"

Which motion prevailed.

The question being upon the original motion as amended,

The original motion prevailed, and

The resolution as amended was adopted.

Mr. Speaker appointed Messrs. Pierce, Holliday and Kelly a committee to notify the Senate that the House was in readiness to receive the Senate in Joint Session to ballot for a United States Senator.

The Sergeant-at-Arms announced the Lieutenant Governor, members of the Senate and officers thereof, with the House Committee escorting, in waiting.

JOINT SESSION.

The Joint Session of the two Houses was called to order by the Lieutenant Governor, the President of the Senate.

The rolls of the respective Houses were called.

All members present except Mr. Young of the Senate and Messrs. Bentley, Boynton, Deans, Ebbighausen, Johnson of Grand Forks, McArthur, Newman, Oliver, Rinde and Tufts of the House.

Messrs. Tufts, Johnson of Grand Forks, Newman and Thompson being paired.

Agreements to pair were read between Messrs. Tufts and Johnson of Grand Forks, Newman and Thompson.

The Journal of the Joint Session of the 36th legislative day was read.

Mr. Ueland moved

That the reading of the names be dispensed with,

Which motion prevailed.

Mr. Gregory asked that the Journal be corrected on page 3 by striking out the name "Casey" in the eighth line and insert the name "Muir;" by striking out the name "Kelly" in the ninth line, and by inserting "and Mr. Kelly" in the twenty-ninth line. There being no further objections, the Journal of the 36th legislative day was approved as corrected.

Mr. McGillivray moved

That the Joint Assembly do now proceed to take the thirty-eighth ballot for a United States Senator,

Which motion prevailed, and

The Joint Session proceeded to take the thirty-eighth ballot for a United States Senator.

THIRTY-EIGHTH BALLOT.

The roll being called there were 79 votes cast, of which Mr. Anderson received 2, Mr. Worst 5, Mr. Miller 7, Mr. Muir 2, Mr. Haggart 3, Mr. Kingman 10, Mr. Ordway 1, Mr. Benton 27, Mr. Palmer 8, Mr. Walsh 7, Mr. Pinkham 3, Mr. Newman 2, Mr. Lamb 2.

Those who voted for Mr. Worst were:

Messrs. Day, Miller, Cochrane, Simpson, Wallen—5.

Those who voted for Mr. Muir were:

Messrs. Stevens, Hagen—2.

Those who voted for Mr. Anderson were:

Messrs. Enger, Haugen—2.

Those who voted for Mr. Kingman were:

Messrs. Fuller, Johnson, McGillivray, Palmer, Worst, Churchill, Hurley, Larson, Strom, Yegen—10.

Those who voted for Mr. Benton were:

Messrs. Bidlake, Brynjolfson, Burke, Engle, Hillier, Kinter, Lamb, McCormack, Patch, Caldwell, Hall, Hodgson, Holliday, Horgan, James, Johnston, Kelly, Levang, McCanna, McCulloch, McLean, O'Keefe, Plain, Sanford, Thexton, Towers, Ueland—27.

Those who voted for Mr. Walsh were:

Messrs. Arnold, Sorley, Burkhardt, Halvorson, Pierce, Wine-
man, Wishek—7.

Those who voted for Mr. Newman were:

Messrs. Cashel, Haggart—2.

Those who voted for Mr. Palmer were:

Messrs. Gregory, White, Davis, Havrevold, Lohnes, Oksendahl, Veeder, Mr. Speaker—8.

Those who voted for Mr. Miller were:

Messrs. Ink, Pinkham, Svensrud, Benedict, Bullard, Ritter, Severson—7.

Those who voted for Mr. Haggart were:

Messrs. Little, Satterlund, Southard—3.

Those who voted for Mr. Pinkham were:

Messrs. LaMoure, McCarten, Wright—3.

Those who voted for Mr. Lamb were:

Messrs. Johnson of Sargent, Lee—2.

Mr. Logan voted for Mr. Ordway.

Absent and not voting:

Messrs. Young, Bentley, Boynton, Deans, Ebbighausen, Elliott,

Hallum, Johnson of Grand Forks, McArthur, Newman, Oliver, Rinde, Thompson and Tufts.

Messrs. Johnson of Grand Forks, Thompson, Towers and Tufts being paired.

Mr. LaMoure moved

That the Joint Assembly do now dissolve.

Roll call demanded.

The roll being called there were ayes 44, nays 34.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Arnold,	Svensrud,	Pierce,
Cashel,	Worst,	Ritter,
Day,	White,	Satterlund,
Enger,	Benedict,	Severson,
Gregory,	Bullard,	Simpson,
Haggart,	Burkhardt,	Southard,
Ink,	Churchill,	Strom,
Johnson,	Cochrane,	Veeder,
Little,	Davis,	Wallen,
LaMoure,	Haugen,	Wineman,
McGillivray,	Havrevold,	Wishek,
Miller,	Hurley,	Wright,
Palmer,	Larson,	Yegen,
Pinkham,	Lohnes,	Mr. Speaker.
Sorley.	Oksendahl,	

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Bidlake,	Hagen,	Levang,
Brynjolfson,	Hall,	Logan,
Burke,	Halvorson,	McCanna,
Engel,	Hodgson,	McCulloch,
Hillier,	Holliday,	McLean,
Kinter,	Horgan,	O'Keefe,
Lamb,	James,	Plain,
McCarten,	Johnson of Sargent,	Sanford,
McCormack,	Johnston,	Thexton,
Patch,	Kelly,	Towers,
Stevens,	Lee,	Ueland.
Caldwell,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Fuller,	Ebbighausen,	Newman,
Young,	Elliott,	Oliver,
Bentley,	Hallum,	Rinde,
Boynton,	Johnson of G'd Forks,	Thompson,
Deans,	McArthur,	Tufts.

Messrs. Johnson of Grand Forks, Thompson, Towers and Tufts being paired.

So the motion to dissolve the Joint Session prevailed, and

The Joint Session dissolved.

J. G. HAMILTON,
Clerk of the Joint Session.

House reassembled.

REPORTS OF STANDING COMMITTEES.

The Judiciary Committee made the following report:

MR. SPEAKER:

Your Judiciary Committee, to whom was referred
House Bill No. 92,

A bill for an act to regulate the terms of district court to be held in the several counties constituting the Fourth Judicial District,

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 101,

A bill for an act entitled "An act fixing the manner of transferring interest in real estate by corporations,"

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 123,

A bill for an act to legalize and confirm town site proceedings and to limit the time within which the validity thereof may be questioned,

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 115,

A bill for an act to amend section 56 of the Code of Civil Procedure, being section 4852 of the Compiled Laws of 1887, providing for the limitations of time in which to commence certain civil actions,

Have had the same under consideration and recommend that the same do pass.

SETH NEWMAN,
Chairman.

The Committee on Agriculture made the following report:

MR. SPEAKER:

Your Committee on Agriculture, to whom was referred
House Bill No. 36,

A bill for an act to amend an act entitled "An act to protect stock raisers and promote the breeding of improved live stock within the State of North Dakota, and to provide a lien for the service of sires, being chapter 117 of the Laws of 1891,"

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 75,

A bill for an act to amend section 1 of chapter 27 of the General Laws of 1890, entitled "An act to establish a board of inspectors for steam vessels and steam boilers, and to provide for licensing engineers of steam engines,"

Have had the same under consideration and recommend that the same do not pass.

O. S. WALLEN,
Chairman.

The Committee on State Affairs made the following report:

MR. SPEAKER:

Your Committee on State Affairs, to whom was referred
House Bill No. 127,

A bill for an act to establish an experimental station for purposes of irrigation,

Have had the same under consideration and recommend that the same be amended as follows:

In section 1 change the word "experiment" in first line of printed bill to read "experimental;" in line two, of same section, after the word "two" add "and one-half." Strike out all of section 4 after the words "said artesian well," in line four; strike out all of section 5; change the word "experiment" in title of printed bill to "experimental."

And when so amended recommend that the same do pass.

L. A. UELAND,
Chairman.

Mr. Ueland moved

To suspend the rules and adopt the report of the committee,
Which motion prevailed, and
The amendments were adopted.

Mr. Yegen moved

That House Bill No. 49 be recalled from the Judiciary Committee,

Which motion was lost.

Mr. Wineman moved that

House Bill No. 3,

A bill for an act repealing an act entitled "An act creating the office of State Superintendent of Irrigation and Forestry, and prescribing the duties thereof,"

Be made a special order for 11 o'clock a. m. to-morrow,

Which motion prevailed.

Mr. Speaker announced his signature to the House Concurrent Resolution petitioning Congress to provide for the election of United States Senators by direct vote of the people.

INTRODUCTION AND FIRST READING OF BILLS, JOINT RESOLUTIONS
AND MEMORIALS.

Mr. Hall introduced—

House Bill No. 143,

A bill for an act for extension of the time for the payment of the taxes for the year 1892,

Which was read the first time.

Mr. Strom introduced—

House Bill No. 144,

A bill for an act to amend subdivision 16 of sections 1 and 2 and subdivision 15 of sections 3 and 4 of chapter 86, Laws of 1890,

Which was read the first time.

Mr. Cochrane introduced—

House Bill No. 145,

A bill for an act authorizing the adjournment of terms of court by order entered in vacation,

Which was read the first time.

Mr. Larson introduced—

House Bill No. 146,

A bill for an act regulating sale under chattel mortgages,

Which was read the first time.

Mr. Benedict introduced—

House Bill No. 147,

A bill for an act to amend section 715 of the Political Code of the Laws of 1887,

Which was read the first time.

Mr. Ueland moved

That the rules be suspended and concurrent resolution and House Bill No. 148 be printed before being read the first time,

Which motion prevailed.

Mr. Wishek introduced—

House Bill No. 149,

A bill for an act authorizing the appointment of stenographers for the District Courts of this State and prescribing their duties and compensation, and repealing chapter 52 of the laws of 1879, being sections 481, 482, 483, 484, 485 and 486 of the Compiled Laws of 1887 in relation thereto,

Which was read the first time.

Mr. Burkhardt introduced—

House Bill No. 150,

A bill for an act to amend section 8 of chapter 91 of the Printed Laws of 1890, in relation to the issuance of marriage licenses.

Which was read the first time.

Mr. Hagen introduced—

House Bill No. 151,

A bill for an act requiring the Board of Railroad Commissioners to ascertain the value of No. 1 hard wheat in Duluth or West Superior, based on the Liverpool market price, and providing for the publication thereof,

Which was read the first time.

Mr. Lohnes introduced—

House Bill No. 152,

A bill for an act to amend sections 66 and 67 of chapter 132 of the Laws of 1890,

Which was read the first time.

Also,

House Bill No. 153,

A bill for an act to provide for the payment of the salaries of county officers monthly,

Which was read the first time.

Mr. Hurley introduced—

House Bill No. 154,

A bill for an act to provide for the better enforcement of the laws punishing cruelty to animals,

Which was read the first time.

Mr. Strom introduced—

House Bill No. 155,

A bill for an act defining the duties of engrossing and enrolling clerks of the Legislative Assembly, and providing necessary assistants for the engrossment or enrollment of bills,

Which was read the first time.

Also,

House Bill No. 156,

A bill for an act to amend section 72 of chapter 62 of the Laws of 1890, and sections 17 and 18 of chapter 56 of the Laws of 1891,

Which was read the first time.

Mr. Pierce introduced the following Concurrent Resolution:

CONCURRENT RESOLUTION.

Be it resolved by the House of Representatives, the Senate Concurring: That the following amendment to the Constitution of the State of North Dakota be and the same is hereby proposed and referred to the Fourth Legislative Assembly of the State of North Dakota, to be by the members thereof agreed to and submitted to the qualified electors of this State for approval or rejection, as provided by law, namely:

That section 7 of article 1 of the Constitution of the State of North Dakota be and the same is hereby amended by adding and inserting therein the words "but in civil actions three-fourths of the jury may render a verdict," and changing the word "but" to "and," so that said section shall read as follows:

SECTION 7. The right of trial by jury shall be secured to all, and remain inviolate, but in civil actions three-fourths of the jury may render a verdict,

and a jury in civil cases, in courts not of record, may consist of less than twelve men, as may be prescribed by law.

Which was referred to the Judiciary Committee.

Mr. McCulloch introduced the following Concurrent Resolution:

CONCURRENT RESOLUTION,

Providing for an amendment to section 47 of article 2 of the Constitution of the State of North Dakota.

Be it resolved by the House of Representatives of the State of North Dakota, the Senate concurring: That the following proposition to amend the Constitution of the State of North Dakota is hereby submitted to the Fourth Legislative Assembly of the State of North Dakota, to be by it submitted to the qualified electors of the State for approval or rejection, namely: That section 47 of article 2 of the Constitution of the State of North Dakota be and the same is hereby amended to read as follows:

SECTION 47. All election contests for seats in the Legislative Assembly shall be had in the State courts, subject to such regulation as shall be provided by law.

Mr. Ueland moved

That the House dispense with the reading of the Concurrent Resolution and that the same be printed in the Journal of to-day and made a special order for to-morrow at 11:15 o'clock a. m.,

Which motion prevailed.

SECOND READING OF HOUSE BILLS, JOINT RESOLUTIONS AND MEMORIALS.

House Bill No. 141,

A bill for an act to amend section 75 of chapter 62 of the Laws of 1890, entitled "An act to provide for a uniform system of free public schools throughout the State, and to prescribe penalties for violation of provisions thereof,"

Was read the second time and referred to the Committee on Education.

Mr. Strom moved

That the House consider the following Concurrent Resolution:

CONCURRENT RESOLUTION.

Be it Resolved by the House of Representatives, the Senate concurring:

WHEREAS, The greater part of the anthracite coal deposits of the United States are owned by a few corporations, who have combined and levied probably a hundred million dollars of taxes during the past few years upon the people of this country by raising the price paid for coal by the consumers, while at the same time they have decreased the wages of their workmen, thus degrading American citizenship and endangering republican institutions; and,

WHEREAS, These corporations are artificial persons, created and existing by law alone, possessed of immortal life and the right to impose taxes on the people in one year equal to the revenues of half a dozen sovereign states, implies the right to wring from the people forever, if not prevented by law, unlimited amounts of their substance; and,

WHEREAS, It was the original design of the founders of the government

to reserve from sale and retain for the benefit of all the people the public lands containing mineral or metallic wealth; and,

WHEREAS, The present evil conditions in the coal fields of this country are an unforeseen and unnatural outgrowth from the conceded right of private property, applied to an article of prime necessity for all the people, in the hands of corporations; therefore,

Resolved, That the Legislative Assembly of the State of North Dakota respectfully memorializes the Congress of the United States to take immediate steps, under the right of eminent domain, to condemn and enter into possession of all the anthracite coal lands of this country, and hold and administer the same as a public trust for the benefit of all the people, on terms that shall be just to the miners of the coal and the consumers of the same; and be it further

Resolved, That it shall be the duty of the Secretary of State to forward copies of this memorial to our Senators and Representative in Congress, and also to the President of the United States and to each Senator and Member of Congress.

Which motion prevailed.

Mr. Strom moved

The adoption of the Concurrent Resolution.

Mr. Kelly moved

To amend the Concurrent Resolution so as to include bituminous and lignite coal,

Which amendment was lost.

The question recurring upon the adoption of the original resolution,

The motion prevailed, and

The Concurrent Resolution was adopted.

FIRST READING OF SENATE BILLS, JOINT RESOLUTIONS AND MEMORIALS.

Senate Bill No. 26,

A bill for an act to amend sections 2, 3, 4, 5 and 6 of chapter 81, Laws of 1890, relating to the boundaries and subdivisions of the First Judicial District, and fixing the terms of court to be held therein,

Was read the first time.

Mr. Speaker called Mr. McCulloch to the chair.

Senate Bill No. 39,

A bill for an act to amend section 778 of the Civil Code, being section 3401 of the Compiled Laws, relating to the succession of real and personal property,

Was read the first time.

Senate Bill No. 42,

A bill for an act defining the boundaries of the Second Judicial District, subdividing the same and fixing the terms of court to be held therein,

Was read the first time.

Senate Bill No. 44,

A bill for an act forbidding the use of telegraph or telephone lines for certain purposes, and providing a penalty therefor,

Was read the first time.

Senate Bill No. 48,

A bill for an act fixing the minimum time for which offenders may be committed to the penitentiary,

Was read the first time.

Senate Bill No. 56,

A bill for an act to amend section 1 of chapter 88 of the Session Laws of 1883, being section 7599 of the Compiled Laws, relating to reprieves, commutations and pardons,

Was read the first time.

Senate Bill No. 64,

A bill for an act providing for the appointment of notaries public and providing a penalty for violation of the provisions thereof,

Was read the first time.

Senate Bill No. 57,

A bill for an act defining the duties of the Attorney General as to escheats,

Was read the first time.

Senate Bill No. 78,

A bill for an act to amend paragraph 40 of chapter 68 of the Laws of 1891,

Was read the first time.

Senate Bill No. 80,

A bill for an act to amend section 26 of chapter 39 of the Political Code, being section 1427 of the Compiled Laws, as to collection and taxation of a jury fee in civil cases,

Was read the first time.

Senate Bill No. 96,

A bill for an act to amend section 3 of chapter 53 of the Laws of 1887, relating to the support of fire departments,

Was read the first time.

Mr. Ueland moved

That the rules be suspended and that Senate Bill No. 44 be read the second time and referred to its appropriate committee,

Which motion prevailed.

SECOND READING OF SENATE BILLS.

Senate Bill No. 44,

A bill for an act forbidding the use of telegraph or telephone lines for certain purposes, and providing a penalty therefor,

Was read the second time and referred to the Committee on State Affairs.

CONSIDERATION OF GENERAL ORDERS.

Mr. Ueland moved

That the House do now resolve itself into Committee of the Whole for consideration of general orders,
Which motion prevailed.

When the committee arose the following report was presented:

MR. SPEAKER:

Your Committee of the Whole have had under consideration
House Bill No. 18,

A bill for an act to amend chapter 26 of the General Laws of 1889, entitled "An act to give publicity to chattel mortgage sales, as amended by chapter 40 of the General Laws of 1890, by adding after section 9 of said chapter 26 the following sections as sections 10, 11 and 12 of said chapter 26,"

And recommend that the following amendment proposed by the Judiciary Committee be adopted:

That section ten (10) of said bill be amended to read as follows:

Sec. 10. That any mortgagor of personal property, or his grantee or assignee, shall be permitted to redeem from any sale of chattels, under any mortgage hereafter executed, within five (5) days after said sale, exclusive of the day of sale, by depositing with the owner of the mortgage, at the date of sale, his attorney or agent, or the sheriff of the county where the sale was made, when sale is made by said sheriff, the amount for which said property was sold, with the costs of sale and interest at the rate of seven per cent. per annum from date of sale, and the sheriff or other person making such sale is to retain the possession of the property sold until the expiration of said five days, and shall be entitled to his reasonable expense in caring for the same.

And when so amended recommend that the bill do pass.

Also,

House Bill No. 46,

A bill for an act to amend section 1 of chapter 25 of the Laws of 1887, being section 5066 of the Compiled Laws,

And recommend that the following amendments proposed by the Judiciary Committee be adopted:

An act to amend section 1 of chapter 25 of the Laws of 1887, entitled "An act to amend sections 266 and 268 of chapter 12 of the Code of Civil Procedure, relating to trials and judgments in civil actions," the same being section 5066 of the Compiled Laws.

That section 1 of said bill be amended as follows:

In line 9 of the printed bill after the word "issue" strike out the word "or" and substitute in lieu thereof the word "of." That the word "hereafter" in line 13 of the printed bill be stricken out and the word "hereinbefore" be substituted in lieu thereof. That the words "the preceding" in line 23 of the printed bill be stricken out and the word "this" be substituted in lieu thereof.

And when so amended recommend that the bill do pass.

Also,
House Bill No. 87,
A bill for act to provide a suitable residence for the Chief Executive,
And recommend the passage of the bill.

L. A. UELAND,
Chairman.

Mr. Ueland moved
That the report be adopted,
Which motion prevailed, and
The report of the Committee of the Whole was adopted.

Mr. Haugen moved
That the House do now adjourn,
Which motion prevailed, and
The House adjourned.

J. G. HAMILTON,
Chief Clerk.

THIRTY-EIGHTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 9, 1893.

The House assembled at 10 o'clock a. m., pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All members present except Messrs. Bentley, Elliott, Newman, Oliver and Thompson.

Messrs. Newman and Thompson being paired.

The committee to examine and correct the Journal made the following report:

MR. SPEAKER:

Your committee to revise and correct the Journal have examined the same and find the Journal of the House proceedings of the 36th and 37th days to be correct.

D. C. TUFTS,
Chairman.

There being no objection, the report of the committee was adopted, and the Journals of the 36th and 37th days were approved.

REPORTS OF STANDING COMMITTEES.

The Committee on Appropriations made the following report:

MR. SPEAKER:

Your Committee on Appropriations, to whom was referred Senate Bill No. 37,

A bill for an act appropriating money from the State Treasury not otherwise appropriated to reimburse Hon. Andrew H. Burke, ex-Governor of the State of North Dakota, for money advanced by him to defray expenses incident to the extermination of the grass-

hopper pests in Walsh and Grand Forks counties in the summer of 1891,

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 40,

A bill for an act to reimburse Lieut. Leon S. Roudiez for room rent,

Have had the same under consideration and recommend that the same do pass.

J. B. WINEMAN,
Chairman.

The Committee on State Affairs made the following report:

MR. SPEAKER:

Your Committee on State Affairs, to whom was referred

Senate Bill No. 44,

A bill for an act forbidding the use of telegraph or telephone lines for certain purposes, and providing a penalty therefor,

Have had the same under consideration and recommend that the same do not pass.

L. A. UELAND,
Chairman.

The Committee on Municipal Corporations made the following report:

MR. SPEAKER:

Your Committee on Municipal Corporations, to whom was referred

House Bill No. 85,

A bill for an act entitled "An act authorizing cities, towns and villages to place all fines, penalties and forfeitures into the general fund,"

Have had the same under consideration and recommend that the same do pass.

E. H. LOHNES,
Chairman.

The Committee on Education made the following report:

MR. SPEAKER:

Your Committee on Education, to whom was referred

House Bill No. 121,

A bill for an act to provide for the formation of school districts comprising less than a civil or congressional township,

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 58,

A bill for an act repealing chapter 40 of the Political Code of

1877, relating to public education; chapter 14 of the Session Laws of 1879, being an act to establish a public school law for Dakota Territory; chapter 24 of the Laws of 1881, being an act to empower school districts to issue bonds for building school houses; chapter 64 of the Laws of 1881, being an act to amend an act entitled "An act to establish a public school law for Dakota Territory," approved February 22, 1879; chapter 65 of the Laws of 1881, being an act to amend sections 8 and 29 of an act to establish a public school law for Dakota Territory, approved February 22, 1879; chapter 66 of the Laws of 1881, being an act to amend section 17 and section 18 of chapter 14 of the Laws of 1879; chapter 67 of the Laws of 1881, being an act to amend section 40 of an act to establish a public school law for Dakota Territory; chapter 68 of the Laws of 1881, being an act to amend section 40 of an act to establish a public school law for Dakota Territory; chapter 69 of the Laws of 1881, being an act making provisions for the schooling of children living in any organized district; chapter 44 of the Laws of 1883, being an act to establish and provide for the maintenance of a general and uniform system of common schools, and improve their usefulness; chapter 46 of the Laws of 1883, being an act to create the office of Assistant Superintendent of Public Instruction, and to provide for his salary and proper expenses; chapter 49 of the Laws of 1885, being an act to amend chapter 44 of the Session Laws of 1883, entitled "Education;" chapter 50 of the Laws of 1885, being an act to amend chapter 45 of the Laws of 1885, empowering school townships to issue their bonds for building and furnishing school houses; chapter 51 of the Laws of 1885, being an act to amend section 9 of chapter 45 of the Laws of Dakota for 1883; chapter 44 of the Laws of 1887, being an act entitled "An act to require teachers of public schools to keep a record of the visits of county superintendents;" chapter 45 of the Laws of 1887, being an act to provide for the registration and payment of warrants drawn by the secretary and treasurer of boards of education in this territory and to prescribe the rate of interest thereon; chapter 46 of the Laws of 1887, being an act to amend sections 46 and 66 of chapter 44 of the General Laws of 1883; chapter 47 of the Laws of 1887, being an act to amend chapter 44 of the Session Laws of 1883, relating to education,

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 82,

A bill for an act to amend section 37 of chapter 62 of an act "providing for a uniform system of public schools," of the Laws of 1890,

Have had the same under consideration and recommend that the same do not pass.

Also,

House Bill No. 102,

A bill for an act to provide free and uniform text books throughout the several counties of the state,

Have had the same under consideration and recommend that the same be amended as follows:

By adding to section 2 the words following: "Before any publisher of school books shall be permitted to enter into contract with any school district, he shall file with the State Superintendent of Public Instruction, to be approved by him, a bond in the sum of \$2,000 to \$20,000 for the faithful performance of the conditions of all such contracts within this State, and such publisher shall also file with the State Superintendent of Public Instruction a sworn statement of the lowest prices for which his series of text books are sold anywhere in the United States."

Also by striking out the word "all" in first line of section 7.

And when so amended recommend that the same do pass.

Which was referred to general orders.

Also,

House bill No. 141,

A bill for an act to amend section 75 of chapter 62 of the Laws of 1890, entitled "An act to provide for a uniform system of free public schools throughout the State, and to prescribe penalties for violation of provisions thereof,

Have had the same under consideration and recommend that the same be amended as follows:

That after the words "be amended" in the fourth line of the original bill (after the title) there be inserted and added the words "and re-enacted."

Also that there be added after the word "writing" in the last line of the bill the words following: "And such contract must be executed before such teacher begins to teach in such school. It shall grade the salaries of teachers for the district in accordance with the grades of certificates; and no teacher holding a certificate of a lower grade shall be paid a salary equal to or in excess of that paid to a teacher of a higher grade in the same district."

And when so amended recommend that the same do pass.

Which was referred to general orders.

JOHN LOGAN,
Chairman.

The Committee on Ways and Means made the following report:

MR. SPEAKER:

Your Committee on Ways and Means, to whom was referred House Bill No. 55,

A bill for an act providing for a State Examiner, defining his duties and fixing his compensation and bond,

Have had the same under consideration and recommend that the same be amended as follows:

Add at the close of section 9, printed bill, the following:

And when necessary the State Examiner shall employ stenographers or clerical help, the expense incurred therefor to be collected by the Examiner from the county or corporation in interest.

Amend Section 11 by striking out the words "and a contingent fund of

\$750 for the incidental expenses of his office," and insert "and his actual and necessary expenses incurred in the discharge of his official duties, to be paid by the State Auditor and Treasurer in the same manner as the salary and expenses of State officers are paid. He is authorized, with the approval of the Governor, to appoint a deputy, who shall receive an annual salary of \$1,800, and his actual traveling expenses, to be audited and approved as hereinbefore stated."

And when so amended recommend that the same do pass.

Which was referred to general orders.

Also,

House Bill No. 57,

A bill for an act defining the powers and prescribing the duties of the Secretary of State,

Have had the same under consideration and recommend that the same be amended as follows:

Insert as subdivision 3 of section 3 the following:

The Secretary of State is authorized, in his discretion, to distribute upon application extra copies of the Laws, Journals or other documents deposited in his office. *Provided, however,* That on more shall be distributed than is now by law required to be printed.

And when so amended recommend that the same do pass.

Which was referred to general orders.

Also,

House Bill No. 60,

A bill for an act defining the powers and prescribing the duties of the Governor of the State,

Have had the same under consideration and recommend that the same do pass.

W. F. COCHRANE,
Chairman.

Mr. McCanna moved

That House Bill No. 18 be made a special order for tomorrow at 11:45 a. m.,

Which motion prevailed.

Mr. Boynton introduced the following resolution:

WHEREAS, It is necessary, in order to expedite the public business, that additional help be given the Chief Clerk's desk; therefore, be it

Resolved, That the Speaker of the House is authorized and requested to appoint H. H. Hamilton as assistant to the Chief Clerk.

Mr. Havrevold moved

The adoption of the resolution,

Which motion prevailed.

INTRODUCTION AND FIRST READING OF HOUSE BILLS, JOINT RESOLUTIONS AND MEMORIALS.

Mr. Wishek introduced—

House Bill No. 157,

A bill for an act granting right-of-way to railroad companies through public lands,

Which was read the first time.

Mr. Walsh introduced—
House Bill No. 158,

A bill for an act entitled "An act to appropriate moneys out of the State Treasury for a gas plant at the University of North Dakota,

Which was read the first time.

Mr. Lee introduced—
House Bill No. 159,

A bill for an act defining the marriage relation, providing who can so marry, how solemnized, and procuring and filing the license thereof,

Which was read the first time.

Mr. Speaker presented the following communication:

DENVER, February 1, 1893.

To the Speaker of the House, Bismarck, North Dakota:

The attitude of the incoming administration is such that it is believed that the present silver law, should a vote be reached, would pass the House, notwithstanding two-thirds of its members were elected on a free coinage platform, and unless some strong demonstration is made by the Western and Southern states, the next Congress will likely repeal that law without substituting anything better in its place, thereby leaving the producers and debtor classes of this country at the mercy of the Shylocks of Wall street and the plutocracy of the old world;

Therefore, the friends of humanity should exert themselves in behalf of the free coinage of silver.

The American Bi-Metallic League will hold its second session in the city of Washington on the 22d proximo, and it is very important, indeed, that a strong delegation of representative free coinage advocates should represent your State in that convention. I have requested the Governor of your State to appoint twenty delegates, and, as it is a common cause, it is not proper, if the delegates give their time, that they should pay their own expenses.

I therefore venture to suggest that your Legislature make an appropriation to pay the legitimate expenses of such delegates as may attend from your State.

Very respectfully yours,

A. C. FISK,
President.

SECOND READING OF HOUSE BILLS, JOINT RESOLUTIONS AND MEMORIALS.

House Bill No. 143,

A bill for an act for extension of the time for the payment of the taxes for the year 1892,

Was read the second time and referred to the Committee on Taxation and Tax Laws.

House Bill No. 145,

A bill for an act authorizing the adjournment of terms of court by order entered in vacation,

Was read the second time and referred to the Judiciary Committee.

House Bill No. 147,

A bill for an act to amend section 715 of the Political Code of the Laws of 1887,

Was read the second time and referred to the Committee on Counties and County Boundaries.

House Bill No. 151,

A bill for an act requiring the Board of Railroad Commissioners to ascertain the value of No. 1 hard wheat in Duluth or West Superior, based on the Liverpool market price, and providing for the publication thereof,

Was read the second time and referred to the Committee on Railroads.

House Bill No. 152,

A bill for an act to amend sections 66 and 67 of chapter 132 of the Laws of 1890,

Was read the second time and referred to the Committee on Taxation and Tax Laws.

House Bill No. 153,

A bill for an act to provide for the payment of the salaries of county officers monthly,

Was read the second time and referred to the Committee on State Affairs.

House Bill No. 144,

A bill for an act to amend subdivision 16 of sections 1 and 2 and subdivision 15 of sections 3 and 4 of chapter 86, Laws of 1890,

Was read the second time and referred to the Committee on Appropriations.

House Bill No. 155,

A bill for an act defining the duties of engrossing and enrolling clerks of the Legislative Assembly, and providing necessary assistants for the engrossment or enrollment of bills,

Was read the second time and referred to the Judiciary Committee.

REPORTS OF STANDING COMMITTEES.

The Committee on State Affairs made the following report:

MR. SPEAKER:

Your Committee on State Affairs, to whom was referred

House Bill No. 7,

A bill for an act to require the county treasurers to deposit the county funds in designated depositories,

Have had the same under consideration and recommend that the same be amended as follows:

In line 6 of printed bill, section 2, after the word "banks" insert the following: "And no bank shall be designated as a depository unless it offers at least three per cent. interest per annum."

Amend line 5 of section 3 to read "accrued interest, on demand, the sureties of which bond shall justify before the state's attorney of said county before said bond shall be approved by the board."

Insert the words "said bond" after the word "and" in line 6 of section 3.

Insert at the end of section 6 the following: "*Provided*, That in counties where two or more banks are designated as depositories, the amount deposited in any bank shall not exceed the assessed capital stock of said bank."

Strike out section 7 and insert in lieu thereof: "In counties where only one bank is located the board of county commissioners shall designate such bank a depository without advertising for bids if such bank agrees to pay interest at the rate of at least three per cent. per annum and furnishes sufficient security for the safe keeping of the county funds. In counties where there is no bank located or where no bank offers to pay at least three per cent. interest and put up a sufficient security the board of commissioners, may, if in their judgment it is to the best interest of the county, designate some bank or banks outside of such county as depositories, but such bank or banks must comply with the provisions of this act."

And when so amended recommend that the same do pass.

L. A. UELAND,
Chairman.

Mr. Ueland moved

That House Bill No. 7 be referred to general orders,
Which motion prevailed.

The Committee on Engrossed Bills made the following report:

MR. SPEAKER:

Your Committee on Engrossed Bills have examined
House Bill No. 23,

A bill for an act to amend sections 2, 3, 4, 5 and 6 of chapter 81, Session Laws of 1890, relating to the boundaries and subdivisions of the First Judicial District, and fixing the terms of court to be held therein,

Also,

House Bill No. 36,

A bill for an act to amend an act entitled "An act to protect stock raisers and promote the breeding of improved live stock within the State of North Dakota, and to provide a lien for the service of sires, being chapter 117 of the Laws of 1891,"

Also,

House Bill No. 101,

A bill for an act entitled "An act fixing the manner of transferring interest in real estate by corporations,"

Also,

House Bill No. 75,

A bill for an act to amend section 1 of chapter 27 of the General Laws of 1890, entitled "An act to establish a Board of Inspectors for steam vessels and steam boilers, and to provide for licensing engineers of steam engines."

Also,
House Bill No. 92,
A bill for an act to regulate the terms of district court to be held in the several counties constituting the Fourth Judicial District,

Also,
House Bill No. 123,
A bill for an act to legalize and confirm town site proceedings and to limit the time within which the validity thereof may be questioned,

Also,
House Bill No. 127,
A bill for an act to establish an experimental station for purposes of irrigation,

Also,
House Bill No. 115,
A bill for an act to amend section 56 of the Code of Civil Procedure, being section 4852 of the Compiled Laws of 1887, providing for the limitations of time in which to commence certain civil actions,

And find the same correctly engrossed.

J. DEXTER PIERCE,
Chairman.

THIRD READING OF HOUSE BILLS, JOINT RESOLUTIONS AND
MEMORIALS.

House Bill No. 23,
A bill for an act to amend sections 2, 3, 4, 5 and 6 of chapter 81, Session Laws of 1890, relating to the boundaries and subdivisions of the First Judicial District, and fixing the terms of court to be held therein,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 50, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Johnson of Sargent,	Sanford,
Boynton,	Johnston,	Satterlund,
Bullard,	Kelly,	Severson,
Burkhardt,	Larson,	Southard,
Caldwell,	Lee,	Strom,
Cochrane,	Levang,	Thexton.
Davis,	Logan,	Towers,
Deans,	Lohnes,	Tufts,
Hagen,	McArthur,	Ueland,
Hallum,	McCanna,	Veeder,
Halvorson,	McLean,	Wallen.
Haugen,	O'Keefe	Wineman

Messrs—	Messrs—	Messrs—
Havrevold,	Oksendahl,	Wishek,
Holliday,	Pierce,	Wright,
Horgan,	Plain,	Yegen,
Hurley,	Rinde,	Mr. Speaker.
James,	Ritter,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Hall,	Newman,
Churchill,	Hodgson,	Oliver,
Ebbighausen,	Johnson of G'd Forks,	Simpson,
Elliott,	McCulloch,	Thompson.

Mr. Hall being excused.

Messrs. Newman and Thompson being paired.

So the bill passed and the title was agreed to.

Mr. Speaker called Mr. Hurley to the chair.

House Bill No. 36,

A bill for an act entitled "An act to protect stock raisers" and promote the breeding of improved live stock within the State of North Dakota, and to provide a lien for the service of sires, being chapter 117 of the Laws of 1884,"

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 32, nays 14.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hodgson,	Southard.
Boynton,	Holliday,	Strom,
Burkhardt,	Hurley,	Thexton,
Cochrane,	Johnston,	Tufts,
Davis,	Lohnes,	Ueland,
Deans,	McCanna,	Veeder,
Hagen,	O'Keefe,	Wallen,
Hallum,	Pierce,	Wineman,
Halvorson,	Rinde,	Wishek,
Haugen,	Ritter,	Wright.
Havrevold,	Satterlund,	

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Bullard,	Lee,	Plain,
Horgan,	Levang,	Sanford,
James,	Logan,	Severson,
Johnson of Sargent,	McArthur,	Towers.
Larson,	Oksendahl,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Johnson of G'd Forks,	Oliver,
Caldwell,	Kelly,	Simpson,
Churchill,	McCulloch,	Thompson,
Ebbighausen,	McLean,	Yegen,
Elliott,	Newman,	Mr. Speaker.
Hall,		

Mr. Hall being excused.

Messrs. Newman and Thompson being paired.

So the bill passed, but the emergency clause was lost, two-thirds of the members-elect not voting therefor, and the title was agreed to.

House Bill No. 101,

A bill for an act entitled "An act fixing the manner of transferring interest in real estate by corporations,"

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 47, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	James,	Sanford,
Boynton,	Johnson of Sargent,	Satterlund,
Bullard,	Larson,	Severson,
Burkhardt,	Lee,	Southard,
Caldwell,	Logan,	Strom,
Cochrane,	Lohnes,	Thexton,
Davis,	McArthur,	Towers,
Deans,	McCanna,	Tufts,
Hagen,	McCulloch,	Ueland,
Hallum,	McLean,	Veeder,
Halvorson,	O'Keefe,	Wallen,
Haugen,	Oksendahl,	Wineman,
Havrevold,	Pierce,	Wishek,
Hodgson,	Plain,	Wright,
Horgan,	Rinde,	Yegen.
Hurley,	Ritter,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Holliday,	Newman,
Churchill,	Johnson of G'd Forks,	Oliver,
Ebbighausen,	Johnston,	Simpson,
Elliott,	Kelly,	Thompson,
Hall,	Levang,	Mr. Speaker.

Mr. Hall being excused.

Messrs. Newman and Thompson being paired.

So the bill passed and the title was agreed to.

CONSIDERATION OF SPECIAL ORDERS.

The hour having arrived for the consideration of House Bill No. 3, made a special order for 11 o'clock a. m.,

Mr. Ueland moved

That the House do now resolve itself into Committee of the Whole for the consideration of House Bill No. 3,

Which motion prevailed.

Mr. Speaker called Mr. Haugen to the chair.

When the committee arose the following report was presented:

MR. SPEAKER:

Your Committee of the Whole have had under consideration
House Bill No. 3,

A bill for an act repealing an act entitled "An act creating the
office of State Superintendent of Irrigation and Forestry,"

And recommend that the bill do pass.

ARNE P. HAUGEN,
Chairman.

Mr. Wineman moved

To adopt the report of the Committee of the Whole,

Which motion prevailed, and

The report was adopted.

Mr. Ueland moved

That the House do now take a recess for 15 minutes,

Which motion was lost.

House Bill No. 75,

A bill for an act to amend section 1 of chapter 27 of the General
Laws of 1890, entitled "An act to establish a board of in-
spectors for steam vessels and steam boilers, and to provide for
licensing engineers of steam engines,"

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 14, nays 36.

Those voting in the affirmative were:

Messrs—

Caldwell,
Davis,
Haugen,
Horgan,
Kelly,

Messrs—

Lohnes,
McCanna,
McLean,
O'Keefe,
Sanford,

Messrs—

Thexton,
Towers,
Wishek,
Mr. Speaker.

Those voting in the negative were:

Messrs—

Benedict,
Boynton,
Bullard,
Burkhardt,
Cochrane,
Deans,
Hagen,
Hallum,
Halvorson,
Havrevold,
Hodgson,
Holliday,

Messrs—

Hurley,
James,
Johnson of Sargent,
Larson,
Lee,
Levang,
Logan,
McArthur,
McCulloch,
Oksendahl,
Pierce,
Plain,

Messrs.

Rinde,
Ritter,
Satterlund,
Severson,
Southard,
Strom,
Tufts,
Ueland,
Veeder,
Wallen,
Wright,
Yegen.

Absent and not voting:

Messrs—

Bentley,
Churchill,

Messrs—

Hall,
Johnson of G'd Forks,

Messrs—

Oliver,
Simpson

Messrs—	Messrs—	Messrs—
Ebbighausen,	Johnston,	Thompson,
Elliott,	Newman,	Wineman.

Mr. Hall being excused.

Messrs. Newman and Thompson being paired.

So the bill was lost, a majority of the members-elect not voting therefor.

House Bill No. 92,

A bill for an act to regulate the terms of district court to be held in the several counties constituting the Fourth Judicial District,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 50, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	James,	Sanford,
Boynton,	Johnson of Sargent,	Satterlund,
Bullard,	Johnston,	Severson,
Burkhardt,	Kelly,	Southard,
Caldwell,	Larson,	Strom,
Cochrane,	Lee,	Thexton,
Davis,	Levang,	Towers,
Deans,	Logan,	Tufts,
Hagen,	Lohnes,	Ueland,
Hallum,	McArthur,	Veeder,
Halvorson,	McCanna,	Wallen,
Haugen,	McCulloch,	Wineman,
Havrevold,	O'Keefe,	Wishek,
Hodgson,	Oksendahl,	Wright,
Holliday,	Pierce,	Yegen,
Horgan,	Plain,	Mr. Speaker.
Hurley,	Ritter,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Hall,	Oliver,
Churchill,	Johnson of G'd Forks,	Rinde,
Ebbighausen,	McLean,	Simpson,
Elliott,	Newman,	Thompson.

Mr. Hall being excused.

Messrs. Newman and Thompson being paired.

So the bill passed and the title was agreed to.

CONSIDERATION OF SPECIAL ORDERS.

The hour having arrived for the consideration of concurrent resolution providing for an amendment to section 47 of article 2 of the Constitution of North Dakota, made special order for 11:15

a. m.,

Mr. Ueland moved

That the House do now resolve itself into Committee of the Whole to consider concurrent resolution providing for an amendment to section 47 of article 2 of the Constitution of North Dakota,

Which motion prevailed.

Mr. Speaker called Mr. Logan to the chair.

When the committee arose the following report was presented:

MR. SPEAKER:

Your Committee of the Whole have had under consideration Concurrent resolution providing for an amendment to section 47 of article 2 of the Constitution of North Dakota, And recommend that it do pass.

JOHN LOGAN,
Chairman.

Mr. Hodgson moved
To adopt the report,
Which motion prevailed, and
The report of the Committee of the Whole was adopted.

Mr. Sanford moved
That the House do now take a recess until 12 o'clock noon,
Which motion was lost.

House Bill No. 123,

A bill for an act to legalize and confirm town site proceedings and to limit the time within which the validity thereof may be questioned,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 44, nays none.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Johnston,	Satterlund,
Bullard,	Kelly,	Severson,
Burkhardt,	Larson,	Strom,
Cochrane,	Lee,	Thexton,
Deans,	Logan,	Towers,
Hagen,	Lohnes,	Tufts,
Hallum,	McArthur,	Ueland,
Halvorson,	McCanna,	Veeder,
Haugen,	McCulloch,	Wallen,
Havrevold,	McLean,	Wineman,
Hodgson,	Oksendahl,	Wishek,
Horgan,	Pierce,	Wright,
Hurley,	Plain,	Yegen,
James,	Rinde,	Mr. Speaker.
Johnson of Sargent,	Ritter,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Elliott,	O'Keefe,
Boynton,	Hall,	Oliver

Messrs—	Messrs—	Messrs—
Caldwell,	Holliday,	Sanford,
Churchill,	Johnson of G'd Forks,	Simpson,
Davis,	Levang,	Southard,
Ebbighausen,	Newman,	Thompson.

Mr. Hall being excused.

Messrs. Newman and Thompson being paired.

So the bill passed and the title was agreed to.

House Bill No. 115,

A bill for an act to amend section 56 of the Code of Civil Procedure, being section 4852 of the Compiled Laws of 1887, providing for the limitations of time in which to commence certain civil actions,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 48, nays 2.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	James,	Rinde,
Bullard,	Johnson of Sargent,	Ritter,
Burkhardt,	Johnston,	Satterlund,
Caldwell,	Kelly,	Southard,
Churchill,	Larson,	Strom,
Cochrane,	Lee,	Thexton,
Deans,	Levang,	Towers,
Hagen,	Logan,	Tufts,
Hallum,	Lohnes,	Ueland,
Halvorson,	McCanna,	Veeder,
Haugen,	McCulloch,	Wallen,
Havrevold,	McLean,	Wineman,
Hodgson,	O'Keefe,	Wishek,
Holliday,	Oksendahl,	Wright,
Horgan,	Pierce,	Yegen,
Hurley,	Plain,	Mr. Speaker.

Messrs. McArthur and Sanford voting in the negative.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Elliott,	Oliver,
Boynton,	Hall,	Simpson,
Davis,	Johnson of G'd Forks,	Thompson.
Ebbighausen,	Newman,	

Mr. Hall being excused.

Messrs. Newman and Thompson being paired.

So the bill passed and the title was agreed to.

Mr. Tufts moved

That the House defer action upon House Bill No. 127 until next Tuesday, February 14, at 11 o'clock a. m.

Mr. Ueland moved,

As an amendment, to defer action until tomorrow at 10:30 o'clock a. m.,

Which motion to amend prevailed.

The question recurring upon the original motion as amended,

Which motion prevailed, and

The motion as amended was adopted.

Mr. Cochrane moved

That the House do now take a recess for 15 minutes,

Which motion prevailed.

House reassembled.

Mr. Ueland moved that House Bill No. 142 and House Bill No. 148 be made a special order for Saturday, February 11th, at 11 o'clock a. m.,

Which motion prevailed.

Mr. Speaker appointed Messrs. Lohnes, McArthur and Thompson a committee to notify the Senate that the House was in readiness to receive the Senate in Joint Session to ballot for a United States Senator.

The Sergeant-at-Arms announced the Lieutenant Governor, members of the Senate and officers thereof, with the House committee escorting, in waiting.

JOINT SESSION.

The Joint Session of the two Houses was called to order by the Lieutenant Governor, the President of the Senate.

The rolls of the respective Houses were called.

An agreement to pair was read between Messrs. Newman and Thompson.

All members present except Messrs. Bentley, Newman, Oliver and Thompson of the House.

Messrs. Newman and Thompson being paired.

The Journal of the Joint Session of the 37th legislative day was read.

Mr. Deans moved

That the reading of the names be dispensed with,

Which motion prevailed.

There being no objections, the Journal of the Joint Session of the 37th legislative day was approved.

Mr. Little moved

That the Joint Session do now proceed to take the thirty-ninth ballot for a United States Senator,

Which motion prevailed, and

The Joint Session proceeded to take the thirty-ninth ballot for a United States Senator.

THIRTY-NINTH BALLOT.

The roll being called there were 87 votes cast, of which Mr. Kingman received 27, Mr. Muir 15, Mr. Palmer 21, Mr. Roach 23, Mr. Miller 1.

Those who voted for Mr. Roach were:

Messrs. Bidlake, Brynjolfson, Burke, Engle, Kinter, McCormack, Patch, Deans, Ebbighausen, Hall, Hallum, Holliday, Horgan, James, Johnson of Grand Forks, Johnston, Kelly, McCanna, McLean, O'Keefe, Plain, Sanford, Thexton—23.

Those who voted for Mr. Muir were:

Messrs. Hillier, Lamb, McCarten, Stevens, Caldwell, Hagen, Hodgson, Johnson of Sargent, Lee, Levang, Logan, McCulloch, Rinde, Towers, Ueland—15.

Those who voted for Mr. Kingman were:

Messrs. Arnold, Enger, Fuller, Gregory, Haggart, Johnson, Little, McGillivray, Palmer, Pinkham, Worst, White, Young, Boynton, Bullard, Churchill, Cochrane, Havrevold, Hurley, Larson, Ritter, Severson, Simpson, Southard, Strom, Tufts, Wallen, Wishek—28.

Those who voted for Mr. Palmer were:

Messrs. Cashel, Day, Ink, LaMoure, Miller, Sorley, Svensrud, Benedict, Burkhardt, Davis, Halvorson, Haugen, Lohnes, McArthur, Oksendahl, Satterlund, Veeder, Wineman, Wright, Yegen, Mr. Speaker—21.

Mr. Pierce voted for Mr. Miller.

Absent and not voting:

Messrs. Bentley, Elliott, Newman, Oliver, Thompson.

Messrs. Newman and Thompson being paired.

Mr. Hurley withdrew the name of Mr. Kingman as a candidate for United States Senator.

Mr. Little moved

That the Joint Assembly do now dissolve.

Roll call demanded.

The roll being called there were ayes 45, nays 42.

Those who voted in the affirmative were:

Messrs—

Bidlake,
Brynjolfson,
Burke,
Engle,
Hillier,
Kinter,
Lamb,
McCarten,
McCormack,

Messrs—

Ebbighausen,
Hagen,
Hall,
Hallum,
Halvorson,
Hodgson,
Holliday,
Horgan,
James,

Messrs—

Logan,
Lohnes,
McCanna,
McCulloch,
McLean,
O'Keefe,
Plain,
Rinde,
Sanford,

Messrs—	Messrs—	Messrs—
Patch,	Johnson of Sargent,	Severson,
Stevens,	Johnson of G'd Forks,	Thexton,
Bullard,	Johnston,	Towers,
Caldwell,	Kelly,	Wallen,
Churchill,	Lee,	Walsh,
Deans,	Levang,	

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Arnold,	Sorley,	Oksendahl,
Cashel,	Svensrud,	Pierce,
Day,	Worst,	Ritter.
Enger,	White,	Satterlund,
Fuller,	Young,	Simpson,
Gregory,	Benedict,	Southard,
Haggart,	Boynton,	Strom,
Ink,	Burkhardt,	Tufts.
Johnson,	Cochrane,	Ueland,
Little,	Davis,	Veeder,
LaMoure,	Haugen,	Wineman,
McGillivray,	Havrevold,	Wright,
Miller,	Hurley,	Wishek,
Palmer,	Larson,	Yegen,
Pinkham,	McArthur,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Newman,	Thompson.
Elliott,	Oliver,	

Messrs. Newman and Thompson being paired.

So the motion to dissolve the Joint Session prevailed, and
The Joint Session dissolved.

J. G. HAMILTON,
Clerk of the Joint Session.

House reassembled.

Mr. Haugen moved
That the House do now adjourn.

Roll call demanded.

The roll being called there were ayes 36, nays 20.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Havrevold,	McCanna,
Boynton,	Horgan,	Oksendahl,
Bullard,	Hurley,	Pierce,
Burkhardt,	James,	Rinde,
Churchill,	Johnson of G'd Forks,	Ritter,
Cochrane,	Johnston,	Satterlund,
Davis,	Larson,	Severson,
Deans,	Lee,	Southard,
Ebbighausen,	Levang,	Tufts,
Hall,	Logan,	Ueland,
Halvorson,	Lohnes,	Wishek,
Haugen,	McArthur,	Yegen.

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Caldwell,	O'Keefe,	Towers,
Hagen,	Plain,	Veeder,
Hallum,	Sanford,	Wallen,
Johnson of Sargent,	Simpson,	Wineman,
Kelly,	Strom,	Wright,
McCulloch,	Thexton,	Mr. Speaker.
McLean,	Thompson,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Hodgson,	Newman,
Elliott,	Holliday,	Oliver.

So the motion prevailed, and
The House adjourned.

J. G. HAMILTON,
Chief Clerk.

THIRTY-NINTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 10, 1893.

The House assembled at 10 o'clock a. m., pursuant to adjournment.

The Speaker presiding.

Roll called.

All members present except Messrs. Haugen, Johnson of Sargent, Oliver and Wright, Messrs. Haugen, Johnson of Sargent and Wright being excused.

The committee to revise and correct the Journal made the following report:

MR. SPEAKER:

Your committee to revise and correct the Journal have examined the same and report the Journal of the House proceedings of the 38th day to be correct.

D. C. TUFTS,
Chairman.

There being no objections, the report of the committee was adopted and the Journal of the House proceedings of the 38th day was approved.

MOTIONS AND RESOLUTIONS.

Mr. Ueland moved

That the consideration of House Bill No. 127 be made a special order for Tuesday, February 14th, at 10:30 o'clock a. m.,

Which motion prevailed.

REPORTS OF STANDING COMMITTEES.

The Committee on Ways and Means made the following report:

MR. SPEAKER:

Your Committee on Ways and Means, to whom was referred House Bill No. 80,

A bill for an act defining the powers and duties of the State Auditor,

Have had the same under consideration and recommend that the same do pass.

W. F. COCHRANE,
Chairman.

The Committee on Education made the following report:

MR. SPEAKER:

Your Committee on Education, to whom was referred
House Bill No. 84,

A bill for an act entitled "An act to amend section 9 of chapter 40 of the Special Laws of 1883, as amended by section 3 of chapter 168 of the Laws of 1887, and section 1 of chapter 180 of the Laws of 1890, relating to the University of North Dakota,

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 53,

A bill for an act to amend section 6 of chapter 62 of the Laws of 1890, relating to the University of North Dakota,

And recommend that the same be amended as follows:

Strike out all of section 3, and renumber section 4 as section 3.

Also that the title of said bill be amended so as to read as follows: "A bill for an act to amend sections 6, 56 and 200 of chapter 62 of the Laws of 1890, entitled "An act to provide for a uniform system of free public schools throughout the State and to prescribe penalties for a violation of the provisions thereof."

And when so amended recommend that the same do pass.

Also,

House Bill No. 106,

A bill for an act to amend sections 117 and 118 of chapter 62 of the General Laws of 1890,

And recommend that the same do not pass.

JOHN LOGAN,
Chairman.

The Committee on Agriculture made the following report:

MR. SPEAKER:

Your Committee on Agriculture, to whom was referred
House Bill No. 98,

A bill for an act providing for the removal of obstructions to natural waterways,

Have had the same under consideration and recommend that the same be amended as follows:

Section 1, line 18 of printed bill, strike out the word "or" before "bridge pier" and after the word "piers," and before the word "as" insert the following: "Dams or valuable timber."

Section 2, strike out all after the fifth line of printed bill.

And when so amended recommend that the same do pass.

Also,
House Bill No. 122,

A bill for an act to amend section 3 of an act passed by the First Legislative Assembly of the State of North Dakota, approved March 7, 1890, and entitled "An act providing for the retention and disposal of estrays," in relation to notice,

And recommend that the same do pass.

Also,
House Bill No. 44,

A bill for an act to amend section 3 of chapter 58 of the Laws of 1887,

And recommend that the same do not pass.

O. S. WALLEN,
Chairman.

Mr. Wallen moved

That all bills be read the first and second times and referred to their appropriate committees,

Which motion prevailed.

INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS, JOINT RESOLUTIONS AND MEMORIALS.

Mr. Johnson of Grand Forks introduced—
House Bill No. 160,

A bill for an act to protect independent grain buyers,

Which was read the first and second times and referred to the Committee on Warehouses and Grain Grading.

Mr. Johnston introduced—
House Bill No. 161,

A bill for an act to amend chapter 27 of the Laws of North Dakota of 1890, relating to steam boiler inspection,

Which was read the first time.

Mr. Yegen moved

That the further consideration of
House Bill No. 161,

A bill for an act to amend chapter 27 of the Laws of North Dakota of 1890, relating to steam boiler inspection,

Be indefinitely postponed,

Which motion prevailed.

Mr. Davis introduced—
House Bill No. 162,

A bill for an act to fix the maximum rates that railroad companies may charge for the transportation of coal mined within the State of North Dakota,

Which was read the first and second times and referred to the Committee on Railroads.

Mr. Wineman introduced—

House Bill No. 163,

A bill for an act prescribing the duties of county commissioners in relation to landmarks and fixing a penalty for removing or defacing the same,

Which was read the first and second times and referred to the Committee on State Affairs.

Mr. Strom introduced—

House Bill No. 164,

A bill for an act regulating the operation of traction engines upon streets and public highways in this State,

Which was read the first and second times and referred to the Committee on Agriculture.

Mr. Larson moved

That the further consideration of

House Bill No. 164,

A bill for an act regulating the operation of traction engines upon streets and public highways in this State,

Be indefinitely postponed,

Which motion prevailed.

Mr. Wallen introduced—

House Bill No. 165,

A bill for an act to establish a weather and crop service, the collection and dissemination of crop statistics and meteorological data,

Which was read the first and second times and referred to the Committee on Appropriations.

Mr. Benedict introduced—

House Bill No. 166,

A bill for an act naming a uniform title for the governing boards of the State educational institutions and designating certain ex-officio members of State boards,

Which was read the first and second times and referred to the Joint Committee on Educational Institutions.

Also,

House Bill No. 167,

A bill for an act providing an appropriation to reimburse the State Board of Medical Examiners for per diem and mileage due them for services rendered as required by law,

Which was read the first and second times and referred to the Committee on Appropriations.

Mr. Logan introduced—

House Bill No. 168,

A bill for an act to amend sections 17, 18 and 19 of the Session Laws of 1890, entitled "An act to provide for a uniform system

of free public schools throughout the State, and to prescribe penalties for violation of the provisions thereof,"

Which was read the first and second times and referred to the Committee on Education.

Mr. Kelly introduced—
House Bill No. 169,

A bill for an act to compel all companies or corporations operating any lines of railway, wholly or in part, within this State, to provide all necessary facilities for the unloading of grain from wagons and loading same into cars, and to furnish cars to all persons that want to ship grain of any kind, and providing penalties for violation of the same,

Which was read the first and second times and referred to the Committee on Railroads.

Mr. McCulloch introduced—
House Bill No. 170,

A bill for an act for the registration of the legal voters of this State, outside of cities containing more than 3,000 people,

Which was read the first and second times and referred to the Committee on State Affairs.

Mr. Ueland moved
That House bill No. 170 be referred to Committee on Elections and Privileges,
Which motion prevailed.

Mr. Ueland moved
That House bill No. 7 be made a special order for Tuesday at 11 o'clock a. m.,
Which motion prevailed.

REPORT OF STANDING COMMITTEES.

The Committee on Engrossed Bills made the following report:

MR. SPEAKER:

Your Committee on Engrossed Bills have examined
House Bill No. 18,

A bill for an act to amend chapter 26 of the General Laws of 1889, entitled "An act to give publicity to chattel mortgage sales, as amended by chapter 40 of the General Laws of 1890, by adding after section 9 of said chapter 26 the following sections as sections 10, 11 and 12 of said chapter 26."

Also,

House Bill No. 87,

A bill for an act to provide a suitable residence for the Chief Executive of the State of North Dakota.

Also,

House Bill No. 40,

A bill for an act to reimburse Lieut. Leon S. Roudiez for room rent.

Also,

House Bill No. 85,

A bill for an act entitled "An act authorizing cities, towns and villages to place all fines, penalties and forfeitures into the general fund."

Also,

House Bill No. 60,

A bill for an act defining the powers and prescribing the duties of the Governor of the State.

Also,

House Bill No. 82,

A bill for an act to amend section 37 of chapter 62 of an act "providing for a uniform system of public schools," of the Laws of 1890,

And find the same correctly engrossed.

J. DEXTER PIERCE,
Chairman.

THIRD READING OF HOUSE BILLS, JOINT RESOLUTIONS AND
MEMORIALS.

House Bill No 18,

A bill for an act to amend chapter 26 of the General Laws of 1889, entitled "An act to give publicity to chattel mortgage sales, as amended by chapter 40 of the General Laws of 1890, by adding after section 9 of said chapter 26 the following sections as sections 10, 11 and 12 of said chapter 26,"

Was read the third time and placed upon its final passage.

The question being on the final passage of the bill.

The roll being called there were ayes 40, nays 11.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Johnson of G'd Forks,	Rinde,
Boynton,	Johnston,	Sanford,
Bullard,	Kelly,	Satterlund,
Burkhardt,	Levang,	Severson,
Caldwell,	Logan,	Strom,
Cochrane,	Lohnes,	Thexton,
Davis,	McArthur,	Thompson,
Deans,	McCanna,	Towers,
Ebbighausen,	McCulloch,	Tufts,
Hagen,	McLean,	Ueland,
Hall,	O'Keefe,	Veeder,
Hallum,	Oksendahl,	Wineman,
Halvorson,	Plain,	Mr. Speaker.
Holliday,		

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Hodgson,	Larson,	Wallen,
Horgan,	Newman,	Wishek,
Hurley,	Pierce,	Yegen.
James,	Southard,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Havrevold,	Ritter,
Churchill,	Johnson of Sargent,	Simpson,
Elliott,	Lee,	Wright.
Haugen,	Oliver,	

Messrs. Haugen, Johnson of Sargent and Wright being excused.

So the bill passed and the title was agreed to.

Mr. Newman moved that
House Bill No. 87,

A bill for an act authorizing a board consisting of the Governor, Attorney General and State Auditor to purchase or erect a suitable residence for the Chief Executive, and to furnish the same,

Be recommitted to Committee on Appropriations,
Which motion prevailed.

House Bill No. 40,

A bill for an act to reimburse Lieut. Leon S. Roudiez for room rent,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 38, nays 10.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Boynton,	Johnson of G'd Forks,	Severson,
Bullard,	Larson,	Simpson,
Burkhardt,	Logan,	Southard.
Caldwell,	Lohnes,	Thexton,
Cochrane,	McArthur,	Towers,
Davis,	McCanna,	Tufts,
Deans,	McLean,	Ueland,
Ebbighausen,	Newman,	Veeder,
Halvorson,	Oksendahl,	Wineman,
Havrevold,	Pierce,	Wishek,
Horgan,	Plain,	Yegen,
Hurley,	Ritter,	Mr. Speaker.
James,	Satterlund,	

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Hagen,	Levang,	Sanford,
Hallum,	McCulloch	Strom,
Hodgson,	O'Keefe,	Thompson.
Lee,	Rinde,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Benedict,	Haugen,	Kelly,
Bentley,	Holliday,	Oliver,
Churchill,	Johnson of Sargent,	Wallen,
Elliott,	Johnston,	Wright.
Hall,		

Messrs. Haugen, Johnson of Sargent and Wright being excused.

So the bill passed and the title was agreed to.

House Bill No. 85,

A bill for an act entitled "An act authorizing cities, towns and villages to place all fines, penalties and forfeitures into the general fund,"

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 28, nays 25.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Bullard,	Johnston,	Ritter,
Cochrane,	McArthur,	Satterlund,
Davis,	McCanna,	Severson,
Deans,	McLean,	Simpson,
Ebbighausen,	Newman,	Southard,
Hall,	O'Keefe,	Wineman,
Havrevold,	Oksendahl,	Wishek,
Horgan,	Pierce,	Yegen.
Hurley,	Plain,	Mr. Speaker.
James,		

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Boynton,	Larson,	Strom,
Burkhardt,	Lee,	Thexton,
Caldwell,	Levang,	Thompson,
Hagen,	Logan,	Towers,
Hallum,	Lohnes,	Tufts,
Halvorson,	McCulloch,	Ueland,
Hodgson,	Rinde,	Veeder,
Holliday,	Sanford,	Wallen.
Johnson of G'd Forks,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Benedict,	Elliott,	Kelly,
Bentley,	Haugen,	Oliver,
Churchill,	Johnson of Sargent,	Wright.

Messrs. Haugen, Johnson of Sargent and Wright being excused.

So the bill was lost, a majority of the members-elect not voting therefor.

House Bill No. 60,

A bill for an act defining the powers and prescribing the duties of the Governor of the State,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 45, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Boynnton,	Horgan,	Oksendahl,
Bullard,	Hurley,	Plain,
Caldwell,	James,	Rinde,
Churchill,	Johnson of G'd Forks,	Ritter,
Cochrane,	Johnston,	Sanford,
Davis,	Kelly,	Severson,
Deans,	Larson,	Strom,
Ebbighausen,	Levang,	Thexton,
Hagen,	Logan,	Thompson,
Hall,	Lohnes,	Towers,
Hallum,	McArthur,	Ueland,
Halvorson,	McCanna,	Wallen,
Havrevold,	McCulloch,	Wineman,
Hodgson,	McLean,	Yegen,
Holliday,	O'Keefe,	Mr. Speaker.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Benedict,	Lee,	Southard,
Bentley,	Newman,	Tufts,
Burkhardt,	Oliver,	Veeder,
Elliott,	Pierce,	Wishek,
Haugen,	Satterlund,	Wright.
Johnson of Sargent,	Simpson,	

Messrs. Haugen, Johnson of Sargent and Wright being excused.

So the bill passed and the title was agreed to.

House Bill No. 82,

A bill for an act to amend section 37 of chapter 62 of an act to provide for a uniform system of public schools, of the Laws of 1890,

Was read the third time.

Mr. Strom moved

That the further consideration of

House Bill No. 82,

A bill for an act to amend section 37 of chapter 62 of an act to provide for a uniform system of public schools, of the Laws of 1890,

Be indefinitely postponed,

Which motion prevailed.

Mr. Strom gave notice that he would move a reconsideration of the vote by which House Bill No. 85 was lost.

SECOND READING OF SENATE BILLS, JOINT RESOLUTIONS AND
MEMORIALS.

Senate Bill No. 42,

A bill for an act defining the boundaries of the Second Judicial District, subdividing the same and fixing the terms of court to be held therein,

Was read the second time and referred to the Judiciary Committee.

Senate Bill No. 48,

A bill for an act fixing the minimum time for which offenders may be committed to the penitentiary,

Was read the second time and referred to the Judiciary Committee.

Senate Bill No. 57,

A bill for an act defining the duties of the Attorney General as to escheats,

Was read the second time and referred to the Judiciary Committee.

Mr. Speaker announced an informal recess.

House reassembled.

Mr. Speaker appointed Messrs. Hall, Levang and Strom a committee to notify the Senate that the House was in readiness to receive the Senate in Joint Session to ballot for a United States Senator.

The Sergeant-at-Arms announced the Lieutenant-Governor, members of the Senate and officers thereof, with the House committee escorting, in waiting.

JOINT SESSION.

The Joint Session of the two houses was called to order by the Lieutenant-Governor, the President of the Senate.

The rolls of the respective Houses were called.

All members present except Messrs. Haugen and Oliver.

Messrs. Haugen and Johnson of Sargent being paired.

Mr. Wright being excused.

An agreement to pair between Messrs. Haugen and Johnson of Sargent was read, agreeing to pair to and including Feb. 13, 1893.

The Journal of the Joint Session of the 38th legislative day was read.

Mr. Ueland moved

That the reading of the names be dispensed with,

Which motion prevailed.

The Journal was corrected to show that Mr. Ueland voted in the negative and Mr. Speaker in the affirmative on the motion to dissolve the Joint Session.

There being no further corrections the Journal of the Joint Session of the 38th legislative day was approved.

Mr. Cashel moved

That the Joint Session do now proceed to take the fortieth ballot for a United States Senator,

Which motion prevailed, and

The Joint Session proceeded to take the fortieth ballot for a United States Senator.

FORTIETH BALLOT.

The roll being called there were 89 votes cast, of which Mr. Muir received 2, Mr. Worst 1, Mr. Palmer 3, Mr. Miller 6, Mr. Lamb 40, Mr. H. F. Miller 30, Mr. Booker 4, Mr. Paulson 1, Mr. Warnock 2.

Those who voted for Mr. Muir were:

Messrs. Stevens, Lohnes—2.

Those who voted for Mr. J. Miller were:

Messrs. Arnold, Enger, Ink, Johnson, Strom, Wallen—6.

Those who voted for Mr. Lamb were:

Messrs. Bidlake, Brynjolfson, Burke, Day, Engle, Hillier, Kinter, McCarten, McCormack, Palmer, Patch, Caldwell, Deans, Ebbighausen, Elliott, Hagen, Hall, Hallum, Halvorson, Hodgson, Holliday, Horgan, James, Johnson of Grand Forks, Johnston, Kelly, Lee, Levang, Logan, McCanna, McCulloch, McLean, O'Keefe, Plain, Rinde, Sanford, Thexton, Thompson, Towers, Ueland—40.

Those who voted for Mr. Palmer were:

Messrs. Cashel, Lamb, Svensrud—3.

Those who voted for Mr. H. F. Miller were:

Messrs. Gregory, Haggart, Little, McGillivray, Miller, Pinkham, Worst, White, Young, Benedict, Bentley, Bullard, Burkhardt, Churchill, Cochrane, Hurley, Larson, McArthur, Newman, Ritter, Satterlund, Severson, Simpson, Southard, Tufts, Veeder, Wineman, Wishek, Yegen, Mr. Speaker—30.

Those who voted for Mr. Booker were:

Messrs. LaMoure, Davis, Havrevold, Oksendahl—4.

Those who voted for Mr. Warnock were:

Messrs. Fuller, Boynton—2.

Mr. Pierce voted for Mr. Worst.

Mr. Sorley voted for Mr. Paulson.

Absent and not voting:

Messrs. Haugen, Johnson of Sargent and Wright.

Messrs. Haugen and Johnson of Sargent being paired.

Mr. Wright being excused.

Mr. McCanna moved

That the Joint Session do now proceed to take the forty-first ballot for United States Senator.

Mr. Palmer moved

That the Joint Assembly do now dissolve.

Roll call demanded.

The roll being called there were ayes 33, nays 56.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Arnold,	Palmer,	Lohnes,
Cashel,	Pinkham,	Newman,
Day,	Sorley,	Oksendahl,
Enger,	Svensrud,	Pierce,
Fuller,	Worst,	Satterlund,
Gregory,	White,	Severson,
Ink,	Benedict,	Simpson,
Johnson,	Bentley,	Southard,
Little,	Boynton,	Strom,
LaMoire,	Davis,	Wishek,
McGillivray,	Havrevold,	Yegen.

Those voting in the negative were:

Messrs—	Messrs—	Messrs—
Bidlake,	Deans,	McArthur,
Brynjolfson,	Ebbighausen,	McCanna,
Burke,	Elliott,	McCulloch,
Engle,	Hagen,	McLean,
Haggart,	Hall,	O'Keefe,
Hillier,	Hallum,	Plain,
Kinter,	Halvorson,	Rinde,
Lamb,	Hodgson,	Ritter,
McCarten,	Holliday,	Sanford,
McCormack,	Horgan,	Thexton,
Miller,	Hurley,	Thompson,
Patch,	James,	Towers,
Stevens,	Johnson of G'd Forks,	Tufts,
Young,	Johnston,	Ueland,
Bullard,	Kelly,	Veeder,
Burkhardt,	Larson,	Wallen,
Caldwell,	Lee,	Wineman,
Churchill,	Levang,	Mr. Speaker.
Cochrane,	Logan,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Haugen,	Oliver,	Wright.
Johnson of Sargent,		

Messrs. Haugen and Johnson of Sargent being paired.

Mr. Wright being excused.

So the motion to dissolve the Joint Session was lost.

Mr. Logan moved

That when the Joint Session dissolve, it dissolve without day.

Mr. President declared the motion out of order.

Mr. Palmer moved

That the Joint Session do now dissolve.

Mr. President declared the motion lost.

The question recurring upon the motion to proceed to take the forty-first ballot for a United States Senator,

The motion prevailed.

FORTY-FIRST BALLOT.

The roll being called there were 89 votes cast, of which Mr. J. Miller received 12, Mr. H. F. Miller 26, Mr. Booker 4, Mr. Roach 39, Mr. Anderson 1, Mr. Muir 2, Mr. Walsh 2, Mr. Palmer 3.

Those who voted for Mr. Roach were:

Messrs. Bidlake, Brynjolfson, Burke, Engle, Hillier, Kinter, Lamb, McCarten, McCormack, Patch, Caldwell, Deans, Ebbighausen, Elliott, Hagen, Hall, Hallum, Halvorson, Hodgson, Holiday, Horgan, James, Johnson of Grand Forks, Johnston, Kelly, Lee, Levang, Logan, McCanna, McCulloch, McLean, O'Keefe, Plain, Rinde, Sanford, Thexton, Thompson, Towers, Ueland—39.

Those who voted for Mr. Muir were:

Messrs. Stevens, McArthur—2.

Those who voted for Mr. H. F. Miller were:

Messrs. Gregory, Haggart, Little, McGillivray, Miller, Worst, White, Young, Benedict, Bentley, Bullard, Burkhardt, Churchill, Cochrane, Larson, Newman, Ritter, Satterlund, Simpson, Southard, Tufts, Veeder, Wineman, Wishek, Yegen, Mr. Speaker—26.

Those who voted for Mr. J. Miller were:

Messrs. Arnold, Enger, Fuller, Ink, Johnson, Palmer, Pinkham, Boynton, Lohnes, Severson, Strom, Wallen—12.

Those who voted for Mr. Palmer were:

Messrs. Cashel, Day, Davis—3.

Those who voted for Mr. Booker were:

Messrs. LaMoure, Svensrud, Havrevold, Oksendahl—4.

Those who voted for Mr. Walsh were:

Messrs. Hurley, Pierce—2.

Mr. Sorley voted for Mr. Anderson.

Absent and not voting:

Messrs. Haugen, Johnson of Sargent and Wright.

Messrs. Haugen and Johnson of Sargent being paired.

Mr. Wright being excused.

Mr. Little stated he had demanded roll call on motion to dissolve the joint session before the result of the vote was announced, and still demanded a roll call.

Mr. President decided that it was too late to demand a roll call.

Mr. Little appealed from the decision of the chair.

Roll call demanded.

The roll being called there were ayes 45, nays 43.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Ridlake,	Elliott,	McArthur,
Brynjolfson,	Hagen,	McCanna,
Burke,	Hall,	McCulloch,
Engle,	Hallum,	McLean,
Hillier,	Halvorson,	Plain,
Johnson,	Hodgson,	Rinde,
Kinter,	Holliday,	Ritter,
Lamb,	Horgan,	Sanford,
McCarten,	James,	Severson,
McCormack,	Johnson of G'd Forks,	Strom,
Patch,	Kelly,	Thexton,
Stevens,	Larson,	Thompson,
Caldwell,	Lee,	Towers,
Churchill,	Levang,	Ueland.
Deans,	Logan,	Wallen.

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Arnold,	Svensrud,	Johnston,
Cashel,	Worst,	Lohnes,
Day,	White,	Newman,
Enger,	Young,	O'Keefe,
Fuller,	Benedict,	Oksendahl,
Gregory,	Bentley,	Pierce,
Haggart,	Boynton,	Satterlund,
Ink,	Bullard,	Simpson,
Little,	Burkhardt,	Southard,
LaMoure,	Cochrane,	Tufts,
McGillivray,	Davis,	Veeder,
Miller,	Ebbighausen,	Wineman,
Palmer,	Havrevold,	Wishek,
Pinkham,	Hurley,	Yegen.
Sorley,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Haugen,	Oliver,	Mr. Speaker.
Johnson of Sargent,	Wright,	

Messrs. Haugen and Johnson of Sargent being paired and Mr. Wright being excused,

So the decision of the chair was sustained.

Mr. Johnson of Grand Forks moved

That the Joint Session do now proceed to take the forty-second ballot for a United States Senator,

Which motion prevailed, and

The Joint Session proceeded to take the forty-second ballot for a United States Senator.

FORTY-SECOND BALLOT.

The roll being called there were 89 votes cast, of which Mr. Roach received 1, Mr. Muir 1, Mr. Anderson 1, Mr. J. Miller 7, Mr. Lamb 36, Mr. Palmer 10, Mr. H. F. Miller 31, Mr. Booker 2.

Those who voted for Mr. J. Miller were:

Messrs. Arnold, Enger, Fuller, Ink, Boynton, Severson, Strom—7.

Those who voted for Mr. Lamb were:

Messrs. Bidlake, Brynjolfson, Burke, Engle, Hillier, Kinter, McCarten, McCormack, Palmer, Patch, Caldwell, Deans, Ebbighausen, Elliott, Hagen, Hall, Hallum, Hodgson, Holliday, Johnson of Grand Forks, Johnston, Kelly, Lee, Levang, Logan, McCanna, McCulloch, McLean, O'Keefe, Plain, Rinde, Sanford, Thexton, Thompson, Towers, Ueland—36.

Those who voted for Mr. Palmer were:

Messrs. Cashel, Day, Lamb, Svensrud, Davis, Halvorson, Havrevold, Lohnes, Oksendahl, Wallen—10.

Those who voted for Mr. H. F. Miller were:

Messrs. Gregory, Haggart, Johnson, Little, McGillivray, Miller, Pinkham, Worst, White, Young, Benedict, Bentley, Bullard, Burkhardt, Churchill, Cochrane, Hurley, Larson, McArthur, Newman, Pierce, Ritter, Satterlund, Simpson, Southard, Tufts, Veeder, Wineman, Wishek, Yegen, Mr. Speaker—31.

Those who voted for Mr. Booker were:

Messrs. LaMoure, James—2.

Mr. Horgan voted for Mr. Roach.

Mr. Stevens voted for Mr. Muir.

Mr. Sorley voted for Mr. Anderson.

Absent and not voting:

Messrs. Haugen, Johnson of Sargent and Wright.

Messrs. Haugen and Johnson being paired.

Mr. Wright being excused.

A verification of the forty-second ballot was had.

The roll being called, there were 89 votes cast, of which Mr. H. F. Miller received 31, Mr. J. Miller 7, Mr. Lamb 36, Mr. Palmer 10, Mr. Roach 1, Mr. Muir 1, Mr. Anderson 1, Mr. Booker 2.

Mr. Gregory moved

That the Joint Assembly do now dissolve,
Which motion prevailed, and
The Joint Assembly dissolved.

J. G. HAMILTON,
Clerk of the Joint Session.

House reassembled.

SECOND READING OF SENATE BILLS.

Senate Bill No. 26,

A bill for an act to amend sections 2, 3, 4, 5 and 6 of chapter 81, Laws of 1890, relating to the boundaries and subdivisions of the First Judicial District, and fixing the terms of court to be held therein,

Was read the second time and referred to the Judiciary Committee.

Senate Bill No. 39,

A bill for an act to amend section 3401 of chapter 3 of the Compiled Laws of 1887, relating to the succession of real and personal property,

Was read the second time and referred to the Judiciary Committee.

Senate Bill No. 56,

A bill for an act to amend section 1 of chapter 88 of the Session Laws of 1883, being section 7599 of the Compiled Laws, relating to reprieves, commutations and pardons,

Was read the second time and referred to the Judiciary Committee.

Senate Bill No. 64,

A bill for an act providing for the appointment of notaries public and providing a penalty for violation of the provisions thereof,

Was read the second time and referred to the Committee on State Affairs.

Senate Bill No. 78,

A bill for an act to amend paragraph 40 of chapter 68 of the Laws of 1891,

Was read the second time and referred to the Judiciary Committee.

Senate Bill No. 80,

A bill for an act to amend section 20 of chapter 39 of the Political Code, being section 1427 of the Compiled Laws, as to collection and taxation of a jury fee in civil cases,

Was read the second time and referred to the Judiciary Committee.

Senate Bill No. 96,

A bill for an act to amend section 3 of chapter 53 of the Laws of 1887 relating to the support of fire departments,

Was read the second time and referred to the Committee on Municipal Corporations.

THIRD READING OF SENATE BILLS.

Senate Bill No. 37,

A bill for an act appropriating money from the State Treasury not otherwise appropriated to reimburse Hon. Andrew H. Burke, ex-Governor of the State of North Dakota, for money advanced by him to defray expenses incident to the extermination of the grasshopper pests in Walsh and Grand Forks counties in the summer of 1891,

Was read the third time and placed upon its final passage.

The question being upon the passage of the bill.

The roll being called there were ayes 53; nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Horgan,	Ritter,
Bentley,	Hurley,	Sanford,
Boynton,	James,	Satterlund,
Bullard,	Johnson of G'd Forks,	Severson,
Burkhardt,	Johnston,	Simpson,
Caldwell,	Kelly,	Southard,
Churchill,	Larson,	Strom,
Cochrane,	Levang,	Thexton,
Davis,	Logan,	Towers,
Deans,	Lohnes,	Tufts,
Ebbighausen,	McArthur,	Ueland,
Elliott,	McCulloch,	Veeder,
Hagen,	McLean,	Wallen,
Hall,	Newman,	Wineman,
Halvorson,	O'Keefe,	Wishek,
Havrevold,	Pierce,	Yegen,
Hodgson,	Plain,	Mr. Speaker.
Holliday,	Rinde,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Hallum,	Johnson of Sargent,	Oliver,
Haugen,	McCanna,	Thompson,
Lee,	Oksendahl,	Wright.

Messrs. Haugen, Johnson of Sargent and Wright being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 44,

A bill for an act forbidding the use of telegraph or telephone lines for certain purposes, and providing a penalty therefor,

Was read the third time and placed upon its final passage,

The question being upon the passage of the bill.

Mr. Ueland moved

That consideration of Senate Bill No. 44 be deferred until tomorrow,

Which motion prevailed.

Mr. Elliott, by unanimous consent, introduced—

House Bill No. 171,

A bill for an act to provide for the payment of outstanding indebtedness of the Soldiers' Home at Lisbon.

Which was read the first and second times.

Mr. Newman moved

That the vote by which Senate Bill No. 37 was passed be reconsidered and that the motion to reconsider be laid upon the table,

Which motion prevailed.

Mr. Havrevold, by unanimous consent, introduced—

House Bill No. 172,

A bill for an act to amend section 1 of an act entitled "An act to amend sections 1, 2 and 3 of chapter 63 of the General Laws of 1881, relating to sheep husbandry,"

Which was read the first and second times.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, February 10, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith

Senate Bill No. 97,

A bill for an act to amend section 1 of chapter 62 of the Laws of 1891, relating to the salary of county superintendent of schools.

Also,

Senate Bill No. 110,

A bill for an act to confirm the sale of 71,809.67 acres of university and school lands located in the counties of Pembina, Walsh, Grand Forks, Traill, Cass and Richland, of this State, to cure any alleged defect of title that may arise from the said sales having been made in April, 1892, instead of between April 15, 1891, and June 1, 1891, as required by chapter 146 of the Session Laws of 1890.

Also,

Senate Bill No. 85,

A bill for an act appropriating money from the State Treasury not otherwise appropriated to recompense the county auditor of Stark county for services in making out and extending the tax lists and making abstracts of the same, and in doing and performing all the other acts that the law provides that he shall do and perform in the assessment and collection of State tax

in the unorganized counties of Dunn, McKenzie, Wallace, Allred and Hettinger in the years 1891 and 1892.

Also,

Senate Bill No. 91,

A bill for an act to amend section 4 of chapter 79 of the Laws of 1891, being an act entitled "An act defining the boundaries of the Fifth Judicial District, subdividing the same, and fixing the time for holding the terms of the district court therein,

Which the Senate has passed, and your favorable consideration thereof is respectfully requested.

FRED FALLEY,
Secretary.

Mr. Speaker presented the following petitions:

To the Legislative Assembly of the State of North Dakota:

We, the undersigned, residents of Stark, Billings, Hettinger, Dunn, McKenzie, Allred, Mercer and Morton, being farmers, ranchmen and merchants respectively, hereby petition your honorable body for the enactment, at this session, of such a law or laws as will protect the citizens of this State, owning cattle and farming, from the encroachment of cattle imported from Texas to this State; which said Texas cattle spread and communicate disease among the native cattle of our own ranchmen, run them from off their ranges and in other ways interfere with the following of their said calling.

Signed by

JOHANN KIND,
And Twenty-four Others.

Also,

To the Legislative Assembly of the State of North Dakota:

We, the undersigned, residents of Stark, Billings, Hettinger, Dunn, McKenzie, Allred, Mercer and Morton, being farmers, ranchmen and merchants, respectively, hereby petition your honorable body for the enactment, at this session, of such a law or laws as will protect the citizens of this State, owning cattle and farming, from the encroachment of cattle imported from Texas to this State; which said Texas cattle spread and communicate disease among the native cattle of our own ranchmen, run them from off their ranges, and in other ways interfere with the following of their said calling.

Signed by

GEO. REDMANN,
And Twenty-five Others.

Which were referred to the Committee on Agriculture.

Mr. Simpson asked unanimous consent to introduce a petition, which request was granted and the following petition was presented:

To the Honorable the Senate and the House of Representatives of the State of North Dakota in Legislature Assembled:

The undersigned petitioners, residents and taxpayers of the county of Billings, respectfully represent that they believe it would be to the greatest good of Billings county to extend its southern boundary line in such manner as to include the whole of Bowman county (now unorganized), thereby making Billings county to embrace all unorganized territory immediately in the southwest corner of the State, and so much of the unorganized territory lying north of Billings county and contiguous thereto as might be suggested by our Representatives for the Thirty-first Legislative District.

We further represent that we would gladly support such a measure at any designated general election after the passage of such an act.

Signed by

J. A. FERRIS,
And Fourteen Others.

Which was referred to the Committee on Counties and County Boundaries.

Mr. Hurley moved
That the House do now adjourn,
Which motion prevailed, and
The House adjourned.

J. G. HAMILTON,
Chief Clerk.

FORTIETH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 11, 1893.

The House assembled at 10 o'clock a. m., pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All members present except Messrs. Haugen, Horgan, Hurley, Johnson of Sargent, Johnston, Logan, Oliver, Strom and Wright.

The committee to revise and correct the Journal made the following report:

MR. SPEAKER:

Your committee to revise and correct the Journal have examined the Journal of the House proceedings of the thirty-ninth day and report it to be correct.

D. C. TUFTS,
Chairman.

There being no objections, the Journal of the House proceedings of the thirty-ninth day was approved.

REPORTS OF STANDING COMMITTEES.

The Committee on Corporations other than Municipal made the following report:

MR. SPEAKER:

Your Committee on Corporations other than Municipal, to whom was referred
Senate Bill No. 27,

A bill for an act to amend section 1 of chapter 35 of the Laws of 1887, relating to corporations, being section 2900 of the Compiled Laws, as to purposes for which private corporations may be formed,

Have had the same under consideration and recommend that

the same be amended by inserting the word "abstractors" after the word "mercantile" in line six of printed bill,

And when so amended recommend that the same do pass.

Referred to general orders.

Also,

House Bill No. 71,

A bill for an act to provide for the preservation of official bonds of township and school officers and facilitate the safe transmission of funds of civil townships and school districts from the county treasury.

And recommend that the same do pass.

Referred to general orders.

J. B. WINEMAN,
Chairman.

The Committee on Agriculture made the following report:

MR. SPEAKER:

Your Committee on Agriculture, to whom was referred

House Bill No. 125,

A bill for an act to regulate the appointing of boiler inspectors and examiners for the State of North Dakota,

Have had the same under consideration and recommend that the same do not pass.

Also,

House Bill No. 134,

A bill for an act to amend section 3, chapter 58, Laws of 1887,

And recommend that the same do pass.

Also,

House Bill No. 95,

A bill for an act to encourage the live stock industry; to provide for the purchase or importation of thoroughbred stock for breeding purposes; to protect breeders and importers from unjust and exorbitant charges, and appointing a commission for the purpose of carrying the provisions of this act into effect, and appropriating funds for the furtherance thereof,

And recommend that the same do not pass.

Also,

House Bill No. 137,

A bill for an act to amend section 2 of chapter 69 of Laws of 1891,

And recommend that the same do not pass.

O. S. WALLEN,
Chairman.

The Committee on Taxation and Tax Laws made the following report:

MR. SPEAKER:

Your Committee on Taxation and Tax Laws, to whom was referred

House Bill No. 139,

A bill for an act to amend section 62 of chapter 132 of the Laws of 1890, and to add another section thereto regulating fees of officers under said act,

Have had the same under consideration and recommend that the same be amended as follows:

By striking out of the same all of the words following, to-wit:

"Such fees are to be computed from the place of holding elections of any town or district in which said distress is made to the place of making said distress, unless said distress is made by a deputy, in which case the same shall be computed from the residence of said deputy," as printed in the 11th, 12th, 13th, 14th and 15th lines of printed bill.

And when so amended recommend that the same do pass.

Also,

House Bill No. 117,

A bill for an act to amend sections 56, 57 and 58 of chapter 132 of the Laws of 1890, entitled "An act prescribing the mode of making assessment, and the levy and collection of taxes, and for other purposes relative thereto, in relation to the collection of personal taxes by judgment,"

And recommend that the same be amended as follows:

By striking out the words and figures "and 58" in first line of title; also, by inserting after the words "are hereby amended," in fifth line of printed bill, the words "and reenacted;" also, by striking out all of said bill numbered as section 58, being lines 100 to 104 of printed bill, both inclusive.

And when so amended recommend that the same do pass.

Referred to general orders.

Also,

House Bill No. 20,

A bill for an act to amend sections 52, 55 and 56, and to repeal sections 60 and 61 of chapter 132 of an act entitled "An act prescribing the mode of making assessments, and the levy and collection of taxes, and for other purposes relating thereto,"

Have had the same under consideration and recommend that the same be indefinitely postponed.

Also,

House Bill No. 78,

A bill for an act to enable county commissioners to present the listing, assessment, advertisement and selling at tax sales of lots according to their subdivisional description in certain cases,

And recommend that the same be amended as follows:

By adding to and inserting therein after the word "townsite," in fourth line of the printed bill, the words "or addition thereto;" also, by adding and inserting therein after the word "townsite" in fifth line of printed bill the

word "addition;" also, by adding to and inserting in the title after the word "bill" the words "for an act."

And when so amended recommend that the same do pass.

Also,

House Bill No. 133,

A bill for an act to amend and re-enact sections 2, 6 and 7 of article 9 of chapter 73 of the Laws of 1887, being sections 917, 921 and 922 of the Compiled Laws,

And recommend that the same do pass.

Also,

Senate Bill No. 2,

A bill for an act to repeal subdivision 11 of section 1 of chapter 100 of the Session Laws of 1891, relating to revenue and taxation,

And recommend that the same do not pass.

Also,

House Bill No. 130,

A bill for an act to refund \$744.53 to Towner county for over-paid taxes to the State,

And recommend that the same be amended as follows:

By striking out the words and figures "seven hundred forty-four dollars and fifty-three cents (\$744.53)" wherever the same occur both in the title of the printed bill and the body thereof and inserting the words "three hundred seventy-two dollars and twenty-eight cents (\$372.28)" in lieu thereof.

And when so amended recommend that the same do pass.

Also,

House Bill No. 131,

A bill for an act to amend and re-enact chapter 141 of the Laws of 1890,

And recommend that the same do pass.

Also,

House Bill No. 21,

A bill for an act to amend section 1 of chapter 100 of the Session Laws of 1891, relating to exemption of personal property from taxation to an amount not exceeding \$200 in value,

And recommend that the same do not pass.

H. C. SOUTHARD,
Chairman.

Also the following minority report:

MR. SPEAKER:

A minority Report of your Committee on Taxation and Tax Laws, to whom was referred

House Bill No. 21,

A bill for an act to amend section 1 of chapter 100 of the Session Laws of 1891, relating to exemption of personal property from taxation to an amount not exceeding \$200 in value,

Has had the same under consideration and recommend that the same be reported without recommendation.

J. B. WINEMAN,
Minority.

The Committee on School and Public Lands made the following report:

MR. SPEAKER:

Your Committee on School and Public Lands, to whom was referred

House Bill No. 41,

A bill for an act to amend section 7 of chapter 25 of the General Laws of 1890, entitled "An act providing for the organization and fixing and defining the powers and duties of the Board of University and School Lands, and making an appropriation therefor,"

Have had the same under consideration and recommend that the same be amended as follows:

That "8 per cent." in line 18, of printed bill, of section 1 be changed to "6 per cent." Also, that all of section 1 after the words "payable annually," in line 18, to and including the words "shall be satisfied," in line 22 of printed bill, be stricken out and the following inserted: "Said real estate loans shall be made only to actual residents of and upon cultivated lands in the State."

And when so amended recommend that the same do pass.

D. C. TUFTS,
Chairman.

The Judiciary Committee made the following report:

MR. SPEAKER:

Your Judiciary Committee, to whom was referred

House Bill No. 112,

A bill for an act authorizing County Commissioners to use moneys belonging to road and bridge funds for reclaiming waste lands, etc.,

Have had the same under consideration and recommend that the same be indefinitely postponed.

Referred to general orders.

Also,

House Bill No. 100,

A bill for an act providing for the establishment of courts of conciliation, and prescribing the mode of procedure in same,

And recommend that the same be indefinitely postponed.

Referred to general orders.

Also,

House Bill No. 145,

A bill for an act authorizing the adjournment of terms of court by order entered in vacation,

And recommend that the same do pass.

Also,
House Bill No. 77,
A bill for an act admitting books as evidence,
And recommend that the same do pass.

Also,
House Bill No. 30,
A bill for an act to fix the terms of the district court in the
Third Judicial District,

And recommend that the bill herewith accompanying same, en-
titled "A bill for an act to fix the terms of the district court in
the Third Judicial District," and marked "Substitute for House
Bill No. 39," introduced by Mr. Hurley, be substituted therefor,
And that such substitute bill do pass.

The substitute bill was referred to general orders.

Also,
House Bill No. 118,
A bill for an act to amend section 5416 of the Compiled Laws
of 1887, being section 602 of the Code of Civil Procedure,
And recommend that the same do pass.

Also,
House Bill No. 56,
A bill for an act to amend section 1 of chapter 20 of the
Political Code of 1887, being section 487 of the Compiled Laws,
And recommend that the same be amended as follows:

By adding on line 7 of the printed bill after the word "counties" the words
"United States circuit or district court commissioners within their respective
districts."

And when so amended recommend that the same do pass.

Also,
House Bill No. 110,
A bill in relation to persons and corporations offering
premiums for testing the speed of horses, and to prevent the
fraudulent entering of horses to compete for such premiums,
And recommend that the same be referred to Committee on
Agriculture.

Also,
House Bill No. 14,
An act amending sections 5048 and 5049, Compiled Laws of
1887, relating to trials,

And recommend that the bill herewith submitted and indorsed
"substitute for House Bill No. 14, an act amending sections 5048
and 5049 of the Compiled Laws of 1887, relating to trials," be sub-
stituted for said original bill and that such substitute do pass.

Also,
House Bill No. 116,
A bill for an act entitled "An act to amend section 487 of the

Compiled Laws, relating to the administration of oaths,"

And recommend that the same be indefinitely postponed.

Referred to general orders.

Also,

House Bill No. 155,

A bill for an act defining the duties of engrossing and enrolling clerks of the Legislative Assembly, and providing necessary assistants for the engrossment or enrollment of bills,

And recommend that the same be indefinitely postponed.

Referred to general orders.

SETH NEWMAN,
Chairman.

The Committee on Municipal Corporations made the following report:

MR. SPEAKER:

Your Committee on Municipal Corporations, to whom was referred

House Bill No. 90,

A bill for an act to amend article 16 of chapter 73 of the Laws of 1887, being sections 1000, 1001, 1002 to 1007, inclusive, of the Compiled Laws of the State of North Dakota, and to re-enact the same as so amended,

And recommend that the same be amended as follows:

Amend by striking out the words "in mills" in line 206 of the printed bill and insert in lieu thereof "as other city taxes are levied."

And when so amended recommend that the same do pass.

E. H. LOHNES,
Chairman.

MOTIONS AND RESOLUTIONS.

Mr. Ueland moved

That House Bill No. 142 and House Bill No. 148 be made a special order for Wednesday, February 15th, at 11 o'clock a. m.,
Which motion prevailed.

INTRODUCTION OF BILLS, JOINT RESOLUTIONS AND MEMORIALS.

Mr. O'Keefe introduced—

House Bill No. 173,

A bill for an act to amend section 77 of the Civil Code, being section 2588 of the Compiled Laws, relating to husband and wife,
Which was read the first time.

Mr. Speaker called Mr. Newman to the chair.

Mr. Johnson of Grand Forks introduced—

House Bill No. 174,

A bill for an act fixing the maximum rates that railroad com-

panies may charge for the transportation of coal mined within the State of North Dakota,

Which was read the first time.

Mr. Southard introduced—

House Bill No. 175,

A bill for an act to amend sections 1 and 2 of chapter 1 of the Laws of 1889, entitled "An act to provide security to the public against errors, omissions and defects in abstracts of real estate,"

Which was read the first time.

Also,

House Bill No. 176,

A bill for an act to allow aliens to acquire real estate as security for debts, etc.,

Which was read the first time.

Also (by request)—

House Bill No. 177,

A bill for an act making an appropriation to pay certain expenses incurred by the Third Legislative Assembly of the State of North Dakota,

Which was read the first time.

Mr. Wineman introduced—

House Bill No. 178,

A bill for an act to amend chapter 82 of the Laws of 1891 providing for the compilation, publication, distribution and sale of the laws of the State of North Dakota,

Which was read the first time.

Mr. Kelly introduced (by request)—

House Bill No. 179,

A bill for an act entitled "An act to reimburse certain persons for labor performed and for other purposes,"

Which was read the first time.

Mr. Plain introduced—

House Bill No. 180,

A bill for an act to repeal chapter 27 of the Laws of 1890, entitled "An act to establish a board of inspectors for steam vessels and steam boilers and to provide for licensing engineers of steam engines,"

Which was read the first time.

Mr. Rinde introduced—

House Bill No. 181,

A bill for an act to amend sections 48, 60, 61, 63 and 70 of chapter 62 of the Laws of 1890, relative to school district officers,

Which was read the first time.

Mr. Davis introduced—

Joint Resolution No. 182,

Which was read the first time.

Mr. Davis moved
That House Bill No. 106 be indefinitely postponed,
Which motion prevailed.

Mr. Hodgson introduced the following concurrent resolution:

CONCURRENT RESOLUTION.

Be it Resolved by the House of Representatives of the State of North Dakota, the Senate concurring:

WHEREAS, The telegraph service of the country has become a burdensome monopoly, under which charges are exacted from the public far exceeding the rates for like services in countries favored with government lines; and,

WHEREAS, Upon the expiring of the telephone patents, now soon to occur, a similar monopoly in the transmission of intelligence by telephone is likely to be established as grievous to the people as that of the telegraph; therefore, be it

Resolved by the House, the Senate concurring: That our Senators and Representative in Congress are respectfully requested to use all reasonable efforts to secure the establishment by the United States of America a government telegraph and telephone service for the use and benefit of its citizens, and that copies of this Concurrent Resolution be forwarded by the Secretary of State to each of our Senators and Representative in Congress.

Mr. Ueland moved
That the Concurrent Resolution be adopted,
Which motion prevailed.

Mr. Boynton (by unanimous consent) introduced—
House Bill No. 183,

A bill for an act providing for the annual expenses of the Board of University and School Lands, and for the expenses of selecting and acquiring title to State institution lands,
Which was read the first time.

REPORT OF STANDING COMMITTEES.

The Committee on Engrossed Bills made the following report:

MR. SPEAKER:

Your Committee on Engrossed Bills have examined
House Bill No. 106,

A bill for an act to amend sections 117 and 118 of chapter 62 of the General Laws of 1890.

Also,

House Bill No. 122,

A bill for an act to amend section 3 of an act passed by the First Legislative Assembly of the State of North Dakota, approved March 7, 1890, and entitled "An act providing for the retention and disposal of estrays," in relation to notice.

Also,

House Bill No. 84,

A bill for an act entitled "An act to amend section 9 of chapter 40 of the Special Laws of 1883, as amended by section 3 of chapter

168 of the Laws of 1887, and section 1 of chapter 180 of the Laws of 1890, relating to the University of North Dakota.

Also,

House Bill No. 44,

A bill for an act to amend section 3 of chapter 58 of the Laws of 1887.

Also,

House Bill No. 36,

A bill for an act to amend an act entitled "An act to protect stock raisers and promote the breeding of improved live stock within the State of North Dakota, and to provide a lien for the service of sires, being chapter 117 of the Laws of 1884,"

And find the same correctly engrossed.

J. DEXTER PIERCE,
Chairman.

THIRD READING OF HOUSE BILLS.

House Bill No. 122,

A bill for an act to amend section 3 of an act passed by the First Legislative Assembly of the State of North Dakota, approved March 7, 1890, and entitled "An act providing for the retention and disposal of estrays," in relation to notice,

Was read the third time and placed upon its final passage.

The question being upon the passage of the bill.

The roll being called there were ayes 35, nays 8.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Lohnes,	Simpson,
Bentley,	McArthur,	Thexton,
Bullard,	McCanna,	Thompson.
Burkhardt,	McLean,	Tufts,
Caldwell,	Newman,	Ueland,
Churchill,	Pierce,	Veeder,
Davis,	Plain,	Wallen,
Deans,	Rinde,	Wineman,
Hallum,	Ritter,	Wishek,
Halvorson,	Sanford,	Yegen,
Hodgson,	Satterlund,	Mr. Speaker.
Kelly,	Severson,	

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Ebbighausen,	Johnson of G'd Forks,	McCulloch,
Hagen,	Lee,	O'Keefe.
Hall,	Levang,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Hurley,	Oksendahl,
Cochrane,	James,	Oliver,
Elliott,	Johnson of Sargent,	Southard,

Messrs—	Messrs—	Messrs—
Haugen,	Johnston,	Strom,
Havrevold,	Larson,	Towers,
Holliday,	Logan,	Wright.
Horgan,		

So the bill passed and the title was agreed to.

Mr. Ueland moved

That the House consider Senate Bill No. 44,
Which motion prevailed.

Mr. Ueland moved

That the title of the bill be amended to read as follows:

“A bill for an act forbidding the use of telegraph and telephone lines by unauthorized persons or for unauthorized purposes, and providing penalty therefor,”

Which motion prevailed,

And the title of Senate Bill No. 44 was so amended.

Senate Bill No. 44,

A bill for an act forbidding the use of telegraph or telephone lines for certain purposes, and providing a penalty therefor,

Was placed upon its final passage.

The question being on the final passage of the bill.

The roll being called there were ayes 44, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Kelly,	Satterlund,
Bentley,	Larson,	Severson,
Bullard,	Levang,	Simpson,
Burkhardt,	Lohnes,	Thexton,
Caldwell,	McArthur,	Thompson,
Churchill,	McCanna,	Towers,
Davis,	McCulloch	Tufts,
Deans,	McLean,	Ueland,
Ebbighausen,	Newman,	Veeder,
Hagen,	O'Keefe,	Wallen,
Hall,	Pierce,	Wineman,
Hallum,	Plain,	Wishek,
Halvorson,	Rinde,	Yegen,
Hodgson,	Ritter,	Mr. Speaker.
Johnson of G'd Forks,	Sanford,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Horgan,	Logan,
Cochrane,	Hurley,	Oksendahl,
Elliott,	James,	Oliver,
Haugen,	Johnson of Sargent,	Southard,
Havrevold,	Johnston,	Strom,
Holliday,	Lee,	Wright.

So the bill passed and the title was agreed to.

Mr. Ueland moved

That the vote by which Senate Bill No. 44 passed be reconsidered and the motion to reconsider be laid on the table,

Which motion prevailed.

House Bill No. 84,

A bill for an act entitled "An act to amend section 9 of chapter 40 of the Special Laws of 1883, as amended by section 3 of chapter 168 of the Laws of 1887, and section 1 of chapter 180 of the Laws of 1890, relating to the University of North Dakota,"

Was read the third time and placed upon its final passage.

The question being on the final passage of the bill.

The roll being called there were ayes 39, nays none.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Holliday,	Ritter,
Bentley,	Johnson of G'd Forks,	Sanford,
Boynton,	Kelly,	Satterlund,
Bullard,	Larson,	Severson,
Burkhardt,	Lohnes,	Simpson,
Caldwell,	McArthur,	Towers,
Davis,	McCanna,	Tufts,
Deans,	McLean,	Ueland,
Ebbinghausen,	Newman,	Veeder,
Hagen,	O'Keefe,	Wineman,
Hallum,	Pierce,	Wishek,
Halvorson,	Plain,	Yegen,
Hodgson,	Rinde,	Mr. Speaker.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Churchill,	James,	Oliver,
Cochrane,	Johnson of Sargent,	Southard,
Elliott,	Johnston,	Strom,
Hall,	Lee,	Thexton,
Haugen,	Logan,	Thompson,
Havrevold,	McCulloch,	Wallen,
Horgan,	Oksendahl,	Wright.
Hurley,		

So the bill passed and the title was agreed to.

House Bill No. 44.

A bill for an act to amend section 3 of chapter 58 of the Laws of 1887,

Was read the third time.

Mr. Ueland moved

That House Bill No. 44 be indefinitely postponed,

Which motion prevailed.

House Bill No. 3,

A bill for an act repealing an act entitled "An act creating the office of State Superintendent of Irrigation and Forestry, and prescribing the duties thereof,"

Was read the third time and placed upon its final passage.

The question being upon the passage of the bill.

The roll being called there were ayes 28, nays 14.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	McArthur,	Satterlund,
Boynton,	McCanna,	Simpson,
Davis,	McCulloch,	Thexton,
Ebbighausen,	McLean,	Thompson,
Hagen,	O'Keefe,	Towers,
Hall,	Pierce,	Wallen,
Hallum,	Plain,	Wineman,
Halvorson,	Rinde,	Wishek,
Holliday,	Ritter,	Mr. Speaker.
Johnson of G'd Forks,		

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Bentley,	Deans,	Sanford,
Bullard,	Hodgson,	Ueland.
Burkhardt,	Larson,	Veeder,
Caldwell,	Lohnes,	Yegen.
Churchill,	Newman,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Cochrane,	Johnson of Sargent,	Oliver,
Elliott,	Johnston,	Severson,
Haugen,	Kelly,	Southard,
Havrevold,	Lee,	Strom,
Horgan,	Levang,	Tufts,
Hurley,	Logan,	Wright. *
James,	Oksendahl,	

So the bill was lost, a majority of the members-elect not voting therefor.

Mr. Wineman gave notice that he would at some future day move to reconsider the vote by which House bill No. 3 was lost.

House Bill No. 46,

A bill for an act to amend section 1 of chapter 25 of the Laws of 1887, being section 5066 of the Compiled Laws,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 37, nays 2.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Kelly,	Severson,
Bentley,	Lohnes,	Simpson,
Bullard,	McArthur,	Thexton,
Burkhardt,	McCanna,	Thompson.
Churchill,	McCulloch,	Tufts,
Davis,	McLean,	Ueland,
Deans,	Newman,	Veeder,
Hagen,	O'Keefe,	Wallen,
Hall,	Pierce,	Wineman,

Messrs—	Messrs—	Messrs—
Hallum,	Plain,	Wishek,
Halvorson,	Rinde,	Yegen,
Holliday,	Satterlund,	Mr. Speaker.
James,		

Messrs. Larson and Sanford voting in the negative.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Horgan,	Oksendahl,
Caldwell,	Hurley,	Oliver,
Cochrane,	Johnson of Sargent,	Ritter,
Ebbighausen,	Johnson of G'd Forks,	Southard,
Elliott,	Johnston,	Strom,
Haugen,	Lee,	Towers,
Havrevold,	Levang,	Wright.
Hodgson,	Logan,	

So the bill passed and the title was agreed to.

Mr. Boynton (by unanimous consent) introduced—
House Bill No. 183,

A bill for an act providing for the annual expenses of the Board of University and School Lands and for the expenses of selecting and acquiring title to State institutions' lands,

Which was read the first time.

Mr. Speaker announced an informal recess.

House reassembled.

• COMMUNICATION FROM THE GOVERNOR.

The following communication was received from the Governor:

EXECUTIVE CHAMBER, }
February 11, 1893. }

To the Honorable House of Representatives:

GENTLEMEN: I have the honor to transmit herewith a report of the committee appointed by me to investigate and report to this Legislative Assembly all facts relating to the investment of all moneys received from the sale or rental of school lands within this State, pursuant to Concurrent Resolution of January 23, 1893.

Very respectfully,

E. C. D. SHORTRIDGE,
Governor.

To the Legislative Assembly, State of North Dakota:

GENTLEMEN: The committee appointed by his Excellency Governor Shortridge, in accordance with concurrent resolution of your honorable body, "to investigate the facts relating to the investment of all moneys received from the sale or rental of school lands within the State," beg leave to submit the following report, viz.: This committee finds that the total amount of money received from the sale of school lands is \$371,389.75. That the funds were first available for investment on or about July 1, 1891. That on the 10th day of June the minutes of the Board of University and School Lands show the following entry:

"That the State Treasurer be, and is hereby, requested to purchase for the use of the permanent school fund bonds of school corporations, in amount not exceeding \$78,000, within this State, that will net not less than 4 per cent. per annum, and to report his purchases from time to time to this Board; and the Auditor is hereby directed to draw his warrant in payment of such purchases. This resolution subject to repeal with thirty days' notice to the State Treasurer."

That the minutes of August 18, 1891, show the approval of the purchases of school bonds of the face value of \$66,850 from F. R. Fulton & Co., on a basis of 4 per cent. net, with guaranty of legality of issue. Minutes of same meeting show the following motion: "That we instruct the State Treasurer to invest the balance of the permanent school fund in school district bonds on the same condition and terms as heretofore, with the same guaranty as to the legality of issue." Also, on May 31, 1892, we find the following:

"Be it Resolved by the Board of University and School Lands, That the State Treasurer be and he is hereby directed to invest the funds of this board, available for investment, in State bonds or in bonds of school corporations of this State, and to make purchases as soon as possible, to the end that the funds be drawing interest, and that he make such investments so that the net rate of interest shall be not less than 4 per cent. per annum, payable semi-annually, and that he report his purchases from time to time to this board for approval, and that the auditor is hereby directed to issue his warrants or orders in payment of such purchases on the proper funds on the presentation of vouchers properly approved by said Treasurer." At the same meeting it was resolved "that all communications filed with this board in reference to the sale of School District bonds be referred to the State Treasurer." Acting under these several resolutions this committee finds that the State Treasurer has purchased bonds of the school districts of this State of face value to the amount of \$328,784.10, of which bonds so purchased there has been redeemed bonds in the sum of \$3,800, leaving a net face value of \$325,984.10, upon which there has been paid a premium of \$71,854.55.

We find that every purchase of bonds made by the State Treasurer has been ratified by the Board of University and School Lands. This committee has carefully examined all the bonds in the hands of the State Treasurer belonging to the permanent school fund, has computed the premiums thereon, and found the correct amount had in all cases been paid. Of the \$71,854.55 paid as premiums there has been \$55,729.36 paid out of the interest and income fund, and the balance, \$16,125.19, has been paid out of the permanent school fund. This committee has also carefully examined the coupons and find but a very small percentage overdue and these are in process of collection.

After a careful examination of the correspondence on file, this committee is of the opinion that the Board of University and School Lands has purchased all bonds offered with the exception of the Normal School bonds, amounting to \$40,000, a question having arisen as to the legality of their issue, although there is an opinion on file from the Assistant Attorney General asserting their legality. Charges have been made to this committee that certain school districts, desiring to dispose of their bonds to the Board of University and School Lands, were referred by said board to Messrs. F. R. Fulton & Co., instead of purchasing bonds direct. This committee has been unable to find any reference of this nature, but on the contrary, this committee finds that all correspondence of this nature was referred to the State Treasurer, as agent of the Board of University and School Lands, and said districts were by him furnished with information as to the proper mode of procedure. The attention of this committee has been called to an editorial appearing in the North Dakota Independent, under date of January 18th, 1893, headed "School Fund Despoilers." Presuming that this committee had been created on account of said editorial, it has carefully investigated the various charges made therein. The first charge in said editorial has been construed that the Board of University and School Lands,

after collecting the interest upon the bonds purchased from F. R. Fulton & Co., said board pays over to said F. R. Fulton & Co. all interest collected on said bonds over and above 4 per cent. per annum. This is not so, as the State retains the entire amount of interest so received, the bonds having been purchased by said Board of University and School Lands so as to net the State 4 per cent. per annum on the entire amount invested; that is to say, the date and issued soon after. Bonds dated after June 12, 1891, were by them bought direct from districts at premiums ranging up to 15 per cent. In reference to that part of the editorial in regard to Col. J. B. Power, selecting agent for the Board of University and School Lands, after consultation with Colonel Power and an investigation of the records of his office, this committee is of the opinion that the amount paid Colonel Power is not excessive. This committee also finds that Mr. Gregg did not receive double pay, as implied in said editorial; that the records show that while at work for the Board of University and School Lands he did not receive compensation as a clerk in the auditor's office. This committee finds that while Fred W. Cathro was acting in the capacity of Deputy State Superintendent of Public Instruction at a salary of \$1,500 per annum, did receive, by resolution of the Board, \$600 for two years' services as clerk of the Board of University and School Lands. Mr. Cathro came before this committee and claimed that he was entitled to this extra compensation on account of the great amount of work devolving upon him in connection with school land matters. Mr. Cathro claimed that he was frequently compelled to continue his work outside of office hours. In response to a request, ex-Governor Burke appeared before this committee and his attention was called to the charge in said editorial as to \$700 received for his services. Mr. Burke claimed that he had paid out of his own pocket about \$1,200 for clerk hire and stenographer over and above the amount allowed by law for the executive office; that his position as President of the Board of face value of the bonds with the premiums paid added thereto. The entire amount of bonds purchased from said Fulton & Co. is \$204,700, premiums thereon paid to said Fulton & Co. is \$51,336.46. In regard to charges in said editorial that the principal part of these bonds were bought under a contract with F. R. Fulton & Co., this committee finds that the only contract entered into with said Fulton & Co. was of date June, 1891, and in which they contracted to furnish the Board of University and School Lands bonds of the face value of \$60,000 to net the State 4 per cent. interest. And no exclusive contract with F. R. Fulton & Co. or any other firm or person exists.

Another charge in said editorial is that the Board of University and School Lands did not go upon the open market to purchase bonds; on the contrary, we find that said board has purchased from school districts within the State and other holders of school bonds exclusive of said Fulton & Co. bonds to the amount of \$124,084 10, upon which a premium of \$20,518.09 has been paid, several of the districts selling bonds to said board at 4 per cent. flat, that is, no premium being paid thereon. A member of this committee visited the city of Grand Forks and made an examination of the records of F. R. Fulton & Co., wherein it appears that of the entire amount of bonds purchased from said Fulton & Co., \$116,900 were obtained by them from eastern holders at heavy premiums based on eastern rates of interest. This applies to all bonds dated prior to June 12, 1891, and several large issues contracted prior to that University and School Lands necessitated much correspondence, and that he had figured that the proper proportion of the work done for the Board of University and School Lands by the clerical force in the executive office would amount to \$350 per annum; that he had so stated to said Board of University and School Lands, and said board by resolution duly authorized the payment of "necessary clerk hire."

In regard to the other matters of clerk hire mentioned in said editorial, we find the amounts therein to be substantially correct. While this committee recognizes the fact that a very large amount of clerical work has been done for the Board of University and School Lands, it is not prepared to

state whether the work could not have been performed with a lesser clerical force.

In regard to the charge in said editorial that there has been improperly used a portion of the interest and income fund to defray the expense of selecting lands, advertising, etc., we believe this to be a fact, but that no appropriation having been made to cover these expenses no other fund seemed available. The authority of the auditor, however, to issue warrants on this fund is contained in section 11 of chapter 65 of the Laws of 1891. The Legislature should, in the opinion of this committee, make an appropriation sufficient to reimburse this fund and an amount sufficient to meet like expenses in the future. This committee finds that a large proportion of the amount of premiums paid has been drawn from the interest and income fund.

It is the opinion of this committee that under section 154 of the Constitution of the State of North Dakota the premiums upon the bonds purchased should not have been paid from the interest and income fund, and that the amounts so paid should be charged as part of the investment to the permanent school fund and credited to the interest and income fund, and, as the interest falls due and is paid, a proportionate amount, sufficient to liquidate the premiums paid, should be credited to the permanent school fund, so that when the bonds become due the amounts so credited will equal the premiums paid at dates of purchase.

In reference to the advisability of the investments made by the Board of University and School Lands, this committee had before it prominent financiers from different portions of the State; the general impression was that owing to the limit placed upon the Board of University and School Lands by the law as to the investment of school funds, and the fact that four-fifths of the proceeds of the sales of lands are secured by contracts of sale, it is not deemed advisable to invest the remaining one-fifth in land securities, and from the fact that these bonds were largely held by eastern investors, and unless so purchased the money must have remained idle in the hands of the State Treasurer, and the further fact that the bonds of the State have been sold at a premium that nets the investor $3\frac{1}{2}$ per cent. per annum, the Board of University and School Lands were justified in the investments they made.

In regard to the charges of collusion between the members of the Board of University and School Lands or their agent, the State Treasurer, and Messrs. Fulton & Co., this committee is, after a thorough investigation, entirely satisfied that said charges are without foundation. This committee has a communication from F. R. Fulton & Co., in which they state: "The State has our contract guaranteeing the legality of every bond bought through this office, and we stand ready not only to make that guaranty good, but are ready to repurchase the entire amount."

This committee has endeavored in an impartial manner to thoroughly investigate charges of every nature brought to its attention and the findings herein set forth are respectfully submitted to your honorable body.

W. E. PARSONS,
ANDREW BLEWETT,
R. E. WALLACE.

Dated at Bismarck, N. D., this 10th day of February, A. D. 1893.

Mr. Ueland moved

That 500 copies of the report accompanying the Governor's communication be printed for general distribution, and that the report be referred to general orders,

Which motion prevailed.

Mr. Churchill moved

To reconsider the vote by which House Bill No. 3 was lost,
Which motion prevailed.

Mr. Speaker announced his signature to
Senate Bill No. 37,

A bill for an act appropriating money from the State Treasury not otherwise appropriated to reimburse Hon. Andrew H. Burke, ex-Governor of the State of North Dakota, for money advanced by him to defray expenses incident to the extermination of the grasshopper pests in Walsh and Grand Forks counties in the summer of 1891.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER, }
February 11, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith
Senate Bill No. 61,

A bill for an act fixing the time for commencement and ending of the fiscal year for the State of North Dakota.

Also,

Senate Bill No. 93,

A bill for an act to amend section 9 of chapter 24 of the Political Code, being section 1030 of the Compiled Laws, as to the incorporation of towns,

Which the Senate has passed, and the favorable consideration of the House is hereby requested.

Respectfully,

FRED FALLEY,
Secretary.

Mr. Satterlund (by unanimous consent) introduced—
House Bill No. 184,

A bill for an act to amend divisions 1 and 2 of section 16 of an act entitled "An act prescribing the mode of making assessment and the levy and collection of taxes, and for other purposes relative thereto,"

Which was read the first time.

Mr. Caldwell (by unanimous consent) introduced—
House Bill No. 185,

A bill for an act to appropriate twenty-five thousand dollars (\$25,000) for the building and erection of an industrial school building at Ellendale in this State, and to maintain the school,

Which was read the first time.

Informal recess.

House reassembled.

Mr. Speaker appointed Messrs. Wishek, Wallen and Veeder a committee to notify the Senate that the House was

in readiness to receive the Senate in Joint Session to ballot for a United States Senator.

The Sergeant-at-Arms announced the Lieutenant Governor, members of the Senate and officers thereof, with the House committee escorting, in waiting.

JOINT SESSION.

The Joint Session of the two Houses was called to order by the Lieutenant Governor, the President of the Senate.

The rolls of the respective Houses were called.

All members present except Mr. Johnson of the Senate, and Messrs. Haugen, Hurley, Johnston, Logan, Oliver, Strom and Wright.

Messrs. Strom, Logan, R. J. Johnson, Horgan, Hurley and W. R. Johnson being paired.

The Journal of the Joint Session of the 39th legislative day was read.

Mr. Ueland moved

That the reading of the names be dispensed with,
Which motion prevailed.

There being no objections, the Journal of the Joint Session of the 39th legislative day was approved.

Agreements to pair were read between Messrs. Strom and Logan, R. J. Johnson and Horgan, Hurley and W. R. Johnson.

Mr. McGillivray moved

That the Joint Session do now proceed to take the forty-third ballot for a United States Senator,

Which motion prevailed, and

The Joint Session proceeded to take the forty-third ballot for a United States Senator.

FORTY-THIRD BALLOT.

The roll being called there were 83 votes cast, of which Mr. Roach received 35, Mr. Palmer 13, Mr. J. Miller 1, Mr. H. F. Miller 27, Mr. Muir 4, Mr. Fuller 1, Mr. Boynton 1, Mr. Pinkham 1.

Those who voted for Mr. Roach were:

Messrs. Bidlake, Brynjolfson, Burke, Engle, Hillier, Kinter, Lamb, McCarten, McCormack, Patch, Caldwell, Deans, Ebbighausen, Elliott, Hagen, Hall, Hallum, Hodgson, Holliday, James, Johnson of Grand Forks, Kelly, Lee, Levang, McCanna, McCulloch, McLean, O'Keefe, Plain, Rinde, Sanford, Thexton, Thompson, Towers, Ueland—35.

Those who voted for Mr. Muir were:

Messrs. Stevens, Bullard, Halvorson, Severson—4.

Those who voted for Mr. H. F. Miller were:

Messrs. Haggart, Ink, Little, McGillivray Miller, Sorley, Worst, White, Young, Benedict, Bentley, Churchill, Cochrane, Larson, McArthur, Newman, Pierce, Ritter, Satterlund, Simpson, Southard, Tufts, Veeder, Wineman, Wishek, Yegen, Mr. Speaker—27.

Those who voted for Mr. Palmer were:

Messrs. Arnold Cashel, Day, Fuller, Gregory, LaMoure, Svensrud, Burkhardt, Davis, Havrevold, Lohnes, Oksendahl, Wallen—13.

Mr. Pinkham voted for Mr. Boynton.

Mr. Enger voted for Mr. J. Miller.

Mr. Palmer voted for Mr. Fuller.

Mr. Boynton voted for Mr. Pinkham.

Absent and not voting:

Messrs. Haugen, Horgan, Hurley, Johnson of Sargent, Johnston, R. J. Johnson, Logan, Oliver, Strom and Wright.

Messrs. Haugen, Horgan, Johnson of Sargent, Johnston, R. J. Johnson, Strom Hurley and Logan being paired.

Mr. Svensrud moved

That the Joint Assembly do now dissolve.

Roll call demanded.

The roll being called there were ayes 23, nays 60.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Arnold,	Pinkham,	McArthur,
Cashel,	Sorley,	Oksendahl,
Day,	Svensrud,	Pierce,
Enger,	White,	Wineman,
Fuller,	Davis,	Wishek,
Little,	Havrevold,	Yegen,
LaMoure,	James,	Mr. Speaker.
Palmer,	Lohnes,	

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Bidlake,	Boynton,	McCanna,
Brynjolfson,	Bullard,	McCulloch,
Burke,	Burkhardt,	McLean,
Engle,	Caldwell,	Newman,
Gregory,	Churchill,	O'Keefe,
Haggart,	Cochrane,	Plain,
Hillier,	Deans,	Rinde,
Ink,	Ebbighausen,	Ritter,
Kinter,	Elliott,	Sanford,
Lamb,	Hagen,	Satterlund,
McCarten,	Hall,	Severson,
McCormack,	Hallum,	Simpson,
McGillivray,	Halvorson,	Southard,
Miller,	Hodgson,	Thexton,

Messrs—	Messrs—	Messrs—
Patch,	Holliday,	Thompson,
Stevens,	Johnson of G'd Forks,	Towers,
Worst,	Kelly,	Tufts,
Young,	Larson,	Ueland,
Benedict,	Lee,	Veeder,
Bentley,	Levang,	Wallen.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Haugen,	Johnston,	Strom,
Horgan,	R. J. Johnson,	Oliver,
Hurley,	Logan,	Wright.
Johnson of Sargent,		

Messrs. Haugen, Horgan, Johnson of Sargent, Johnston, R. J. Johnson, Strom, Logan and Hurley being paired.

So the motion to dissolve the Joint Session was lost.

Mr. Hodgson moved

That the Joint Session do now proceed to take the forty-fourth ballot for United States Senator,

Which motion prevailed.

FORTY-FOURTH BALLOT.

The roll being called, there were 83 votes cast, of which Mr. Benton received 34, Mr. Muir 6, Mr. H. F. Miller 29, Mr. Palmer 11, Mr. J. Miller 2, Mr. Fuller 1.

Those who voted for Mr. Muir were:

Messrs. Sorley, Stevens, Svensrud, Hagen, Halvorson, Mr. Speaker—6.

Those who voted for Mr. Benton were:

Messrs. Bidlake, Brynjolfson, Burke, Engle, Hillier, Kinter, Lamb, McCarten, McCormack, Patch, Caldwell, Deans, Ebbighausen, Elliott, Hall, Hallum, Hodgson, Holliday, James, Johnson of Grand Forks, Kelly, Lee, Levang, McCanna, McCulloch, McLean, O'Keefe, Plain, Rinde, Sanford, Thexton, Thompson, Towers, Ueland—34.

Those who voted for H. F. Miller were:

Messrs. Haggart, Ink, Little, McGillivray, Miller, Pinkham, Worst, White, Young, Benedict, Bentley, Boynton, Bullard, Burkhardt, Churchill, Cochrane, Larson, McArthur, Newman, Pierce, Ritter, Satterlund, Simpson, Southard, Tufts, Veeder, Wineman, Wishek, Yegen—29.

Those who voted for John Miller were:

Messrs. Enger, Severson—2

Those who voted for Mr. Palmer were:

Messrs. Arnold, Cashel, Day, Fuller, Gregory, LaMoure, Davis, Havrevold, Lohnes, Oksendahl, Wallen—11.

Mr. Palmer voted for Mr. Fuller.

Absent and not voting:

Messrs. Haugen, Horgan, Hurley, Johnson of Sargent, Johnston, R. J. Johnson, Logan, Oliver, Strom and Wright.

Messrs. Haugen, Horgan, Johnson of Sargent, Johnston, R. J. Johnson, Strom, Hurley and Logan being paired.

Mr. Sorley moved

That the Joint Session do now dissolve.

Roll call demanded.

The roll being called there were ayes 45, nays 38.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Bidlake,	Svensrud,	Levang,
Burke,	Caldwell,	Lohnes,
Day,	Davis,	McCanna,
Enger,	Deans,	McCulloch,
Engle,	Ebbighausen,	McLean,
Fuller,	Elliott,	O'Keefe,
Hillier,	Hagen,	Oksendahl,
Kinter,	Hall,	Plain,
Lamb,	Hallum,	Rinde,
LaMoure,	Havrevold,	Sanford,
McCarten,	Hodgson,	Thexton,
McCormack,	Holliday,	Thompson,
Palmer,	James,	Towers,
Patch,	Johnson of G'd Forks,	Ueland,
Pinkham,	Lee,	Wineman,

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Arnold,	Young,	Pierce,
Brynjolfson,	Benedict,	Ritter,
Cashel,	Bentley,	Satterlund,
Gregory,	Boynton,	Severson,
Haggart,	Bullard,	Simpson,
Ink,	Burkhardt,	Southard,
Little,	Churchill,	Tufts,
McGillivray,	Cochrane,	Veeder,
Miller,	Halvorson,	Wallen,
Sorley,	Kelly,	Wishek,
Stevens,	Larson,	Yegen,
Worst,	McArthur,	Mr. Speaker.
White,	Newman,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Johnson,	Johnson of Sargent,	Oliver,
Haugen,	Johnston,	Strom,
Horgan,	Logan,	Wright.
Hurley,		

Messrs. Haugen, Horgan, Johnson of Sargent, Johnston, R. T. Johnson, Strom, Logan and Hurley being paired.

Mr. Wright being excused.

So the motion to dissolve the Joint Session prevailed, and
The Joint Session dissolved.

J. G. HAMILTON,
Clerk of the Joint Session.

House reassembled.

Mr. Johnson of Grand Forks moved

That the House do now adjourn,
Which motion prevailed, and
The House adjourned.

J. G. HAMILTON,
Chief Clerk.

FORTY-SECOND DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 13, 1893.

The House assembled at 10 o'clock a. m., pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All members present except Messrs. Elliott, Johnston, Kelly, Rinde, Severson, Thexton and Wright.

The committee to revise and correct the Journal made the following report:

MR. SPEAKER:

Your committee to revise and correct the Journal have examined the Journal of the House proceedings of the fortieth day and report it to be correct.

D. C. TUFTS,
Chairman.

There being no objections, the Journal of the House proceedings of the fortieth day was approved.

REPORTS OF STANDING COMMITTEES.

The Committee on County Boundaries made the following report:

MR. SPEAKER:

Your Committee on County Boundaries, to whom was referred House Bill No. 119,

A bill for an act to amend section 1 of chapter 42 of the Session Laws of 1889, being an act authorizing and empowering organized counties of North Dakota to erect county buildings for court house and jail purposes, and to issue and dispose of bonds to provide funds to pay therefor, and to provide for the payment of the principal and interest of such bonds,

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 109,

A bill for an act to define the boundaries of the counties of North Dakota,

And recommend that the same do pass.

L. A. SIMPSON,
Chairman.

INTRODUCTION AND FIRST READING OF BILLS, JOINT RESOLUTIONS
AND MEMORIALS.

Mr. Towers introduced—

House Bill No. 186,

A bill for an act entitled "An act to provide for and establish an industrial school and school for manual training at Ellendale, in the county of Dickey and State of North Dakota, as provided for in subdivision 3 of section 16 of the Constitution of this State,

Which was read the first time.

Mr. Halvorson introduced—

House Bill No. 187,

A bill for an act repealing chapter 20 of the Laws of 1885,

Which was read the first time.

Mr. Simpson introduced—

House Bill No. 188,

A bill for an act to amend section 1429 of the Compiled Laws, relating to fees of witnesses,

Which was read the first time.

Mr. Oliver introduced—

House Bill No. 189,

A bill for an act to amend sections 3, 5, 8, 10, 11 and 12 of of chapter — of the Laws of 1890, entitled "An act to regulate the practice of pharmacy, the licensing of persons to carry on such practice and the sale of poisons in the state of North Dakota,

Which was read the first time.

Mr. Ueland introduced—

House Bill No. 190,

A bill for an act providing for a lien upon grain for the purchase money of binding twine and the method of foreclosing the same, and a penalty under certain circumstances for selling, secreting or disposing of such grain,

Which was read the first time.

Mr. Oliver moved

That the further consideration of House Bill No. 190, be indefinitely postponed,

Which motion prevailed.

Mr. Oliver introduced—
House Bill No. 191,

A bill for an act to amend section 60 of chapter 86 of the Laws of 1891, entitled "An act to provide a military code for the State of North Dakota,"

Which was read the first time.

Mr. Towers introduced—
House Bill No. 192,

A bill for an act entitled "An act to define the crime of fornication and to provide penalties and punishment for the same,"

Which was read the first time.

Mr. Oliver introduced—
House Bill No. 193,

A bill for an act to amend an act passed at the second session of the Legislative Assembly of the State of North Dakota, approved March 7, 1891, and entitled "An act to regulate the fees of clerks of the district courts of the State of North Dakota,"

Which was read the first time.

Mr. Wallen introduced—
House Bill No. 194,

A bill for an act defining usury and fixing the penalty for taking the same,

Which was read the first time.

Mr. Wishek introduced—
House Bill No. 195,

A bill for an act to provide for the selection, purchase and ownership of text books by common school districts for the use of the pupils therein and to authorize and regulate the sale or loan of such text books to such pupils,

Which was read the first time.

Mr. Larson introduced—
House Bill No. 196,

A bill for an act to amend section 1 of chapter 117 of the Laws of 1885, as amended by section 1 of chapter 22 of the Laws of 1887, being section 4897 of the Compiled Laws,

Which was read the first time.

Also,
House Bill No. 197,

A bill for an act to amend section 635 of the Code of Civil Procedure,

Which was read the first time.

SECOND READING OF HOUSE BILLS.

House Bill No. 173,

A bill for an act to amend section 77 of the Civil Code, being section 2588 of the Compiled Laws, relating to husband and wife,

Was read the second time and referred to the Committee on Public Printing.

Mr. Oliver moved

That House Bill No. 7 be taken from general orders and referred to a special committee, to be appointed by the chair, to report by Thursday next.

Mr. Ueland moved

To amend so as to include House Bill No. 4,
Which amendment was accepted.

The original motion as amended was adopted.

Mr. Speaker appointed as a committee to consider House Bills Nos. 7 and 4 Messrs. Oliver, Wineman, Ueland, Tufts and McCulloch.

House Bill No. 174,

A bill for an act fixing the maximum rates that railroad companies may charge for the transportation of coal mined within the State of North Dakota,

Was read the second time and referred to the Committee on Railroads.

Mr. Speaker called Mr. Ueland to the chair.

House Bill No. 175,

A bill for an act to amend sections 1 and 2 of chapter 1 of the Laws of 1889, entitled "An act to provide security to the public against errors, omissions and defects in abstracts of real estate,"

Was read the second time and referred to the Committee on Ways and Means.

House Bill No. 176,

A bill for an act to allow aliens to acquire real estate as security for debts, etc.,

Was read the second time and referred to the Committee on Ways and Means.

House Bill No. 177,

A bill for an act making an appropriation to pay certain expenses incurred by the Third Legislative Assembly of the State of North Dakota,

Was read the second time and referred to the Committee on Appropriations.

House Bill No. 178,

A bill for an act to amend chapter 82 of the Laws of 1891 providing for the compilation, publication, distribution and sale of the Laws of the State of North Dakota,

Was read the second time and referred to the Judiciary Committee.

House Bill No. 179,

A bill for an act entitled "An act to reimburse certain persons

for labor performed and for other purposes,"

Was read the second time and referred to the Committee on Appropriations.

House Bill No. 180,

A bill for an act to repeal chapter 27 of the Laws of 1890, entitled "An act to establish a board of inspectors for steam vessels and steam boilers and to provide for licensing engineers of steam engines,"

Was read the second time and referred to the Committee on Agriculture.

House Bill No. 181,

A bill for an act to amend sections 48, 60, 61, 63 and 70 of chapter 62 of the Laws of 1890, relative to school district officers,

Was read the second time and referred to the Committee on Education.

Joint Resolution No. 182,

Was read the second time and referred to the Committee on Appropriations.

House Bill No. 183,

A bill for an act providing for the annual expenses of the Board of University and School Lands and for the expenses of selecting and acquiring title to State institution lands,

Was read the second time and referred to the Committee on Appropriations.

House Bill No. 184,

A bill for an act to amend divisions 1 and 2 of section 16 of an act entitled "An act prescribing the mode of making assessment and the levy and collection of taxes, and for other purposes relative thereto,"

Was read the second time and referred to the Committee on Taxes and Tax Laws.

House Bill No. 185,

A bill for an act to appropriate twenty-five thousand dollars (\$25,000) for the building and erection of an industrial school building at Ellendale, in this State, and to maintain the school,

Was read the second time and referred to the Committee on Appropriations.

THIRD READING OF HOUSE BILLS.

House Bill No. 58,

A bill for an act repealing chapter 40 of the Political Code of 1877, relating to public education; chapter 14 of the Session Laws of 1879, being an act to establish a public school law for Dakota Territory; chapter 24 of the Laws of 1881, being an act to empower school districts to issue bonds for building school houses; chapter 64 of the Laws of 1881, being an act to amend an act en-

titled "An act to establish a public school law for Dakota Territory," approved February 22, 1879; chapter 65 of the Laws of 1881, being an act to amend sections 8 and 29 of an act to establish a public school law for Dakota Territory, approved February 22, 1879; chapter 66 of the Laws of 1881, being an act to amend section 17 and section 18 of chapter 14 of the Laws of 1879; chapter 67 of the Laws of 1881, being an act to amend section 40 of an act to establish a public school law for Dakota Territory; chapter 68 of the Laws of 1881, being an act to amend section 40 of an act to establish a public school law for Dakota Territory; chapter 69 of the Laws of 1881, being an act making provisions for the schooling of children living in any organized district; chapter 44 of the Laws of 1883, being an act to establish and provide for the maintenance of a general and uniform system of common schools, and improve their usefulness; chapter 46 of the Laws of 1883, being an act to create the office of Assistant Superintendent of Public Instruction, and to provide for his salary and proper expenses; chapter 49 of the Laws of 1885, being an act to amend chapter 44 of the Session Laws of 1883, entitled "Education;" chapter 50 of the Laws of 1885, being an act to amend chapter 45 of the Laws of 1885, empowering school townships to issue their bonds for building and furnishing school houses; chapter 51 of the Laws of 1885, being an act to amend section 9 of chapter 45 of the Laws of Dakota for 1883; chapter 44 of the Laws of 1887, being an act entitled "An act to require teachers of public schools to keep a record of the visits of county superintendents;" chapter 45 of the Laws of 1887, being an act to provide for the registration and payment of warrants drawn by the secretary and treasurer of boards of education in this territory and to prescribe the rate of interest thereon; chapter 46 of the Laws of 1887, being an act to amend sections 46 and 66 of chapter 44 of the General Laws of 1883; chapter 47 of the Laws of 1887, being an act to amend chapter 44 of the Session Laws of 1883, relating to education,

Was read the third time and placed upon its final passage,

The question being upon the final passage of the bill.

The roll being called there were ayes 42, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Larson,	Ritter,
Bentley,	Lee,	Sanford,
Bullard,	Levang,	Satterlund,
Burkhardt,	Logan,	Simpson,
Caldwell,	Lohnes,	Southard,
Churchill,	McArthur,	Thompson.
Davis,	McCanna,	Towers,
Deans,	McCulloch,	Tufts,
Ebbighausen,	McLean,	Ueland,
Hagen,	O'Keefe,	Veeder,

Messrs—	Messrs—	Messrs—
Hall,	Oksendahl,	Wallen,
Hallum,	Oliver,	Wineman,
Halvorson,	Pierce,	Wishek,
Johnson of G'd Forks,	Plain,	Yegen.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Horgan,	Rinde,
Cochrane,	Hurley,	Severson,
Elliott,	James,	Strom,
Haugen,	Johnson of Sargent,	Thexton,
Havrevold,	Johnston,	Wright,
Hodgson,	Kelly,	Mr. Speaker.
Holliday,	Newman,	

So the bill passed and the title was agreed to.

House Bill No. 71,

A bill for an act to provide for the preservation of official bonds of township and school officers and facilitate the safe transmission of funds of civil townships and school districts from the county treasury,

Was read the third time and placed upon its final passage.

The question being upon the passage of the bill.

The roll being called there were ayes 43, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Larson,	Sanford,
Bullard,	Levang,	Satterlund,
Burkhardt,	Logan,	Simpson,
Caldwell,	Lohnes,	Southard,
Churchill,	McArthur,	Thompson,
Davis,	McCanna,	Towers,
Deans,	McCulloch	Tufts,
Ebbighausen,	McLean,	Ueland,
Hagen,	O'Keefe,	Veeder,
Hall,	Oksendahl,	Wallen,
Hallum,	Oliver,	Wineman,
Halvorson,	Pierce,	Wishek,
Havrevold,	Plain,	Yegen,
Hodgson,	Ritter,	Mr. Speaker.
Johnson of G'd Forks,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Hurley,	Newman,
Boynton,	James,	Rinde,
Cochrane,	Johnson of Sargent,	Severson,
Elliott,	Johnston,	Strom,
Haugen,	Kelly,	Thexton,
Holliday,	Lee,	Wright.
Horgan,		

So the bill passed and the title was agreed to.

House Bill No. 77,

A bill for an act admitting books as evidence.

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 41, nays 2.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Larson,	Satterlund,
Boynton,	Levang,	Simpson,
Bullard,	Logan,	Southard,
Burkhardt,	Lohnes,	Thompson,
Churchill,	McArthur,	Towers,
Davis,	McCanna,	Tufts,
Deans,	McCulloch,	Ueland,
Hagen,	McLean,	Veeder,
Hall,	O'Keefe,	Wallen,
Hallum,	Oksendahl,	Wineman,
Halvorson,	Oliver,	Wishek,
Havrevold,	Pierce,	Yegen,
Hodgson,	Plain,	Mr. Speaker.
Johnson of G'd Forks,	Ritter,	

Messrs. Caldwell and Sanford voting in the negative.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Hurley,	Newman,
Cochrane,	James,	Rinde,
Ebbighausen,	Johnson of Sargent,	Severson,
Elliott,	Johnston,	Strom,
Haugen,	Kelly,	Thexton,
Holliday,	Lee,	Wright.
Horgan,		

So the bill passed and the title was agreed to.

Mr. Speaker appointed as a joint committee on Senate concurrent resolution respecting the Australian system of voting: Messrs. Strom, Benedict and Logan.

House Bill No. 80,

A bill for an act defining the powers and duties of the State Auditor,

Was read the third time and placed upon its final passage.

The question being upon the passage of the bill.

The roll being called there were ayes 48, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hodgson,	Ritter,
Bentley,	Johnson of G'd Forks,	Sanford,
Boynton,	Larson,	Satterlund,
Bullard,	Lee,	Simpson,
Burkhardt,	Levang,	Southard,
Caldwell,	Logan,	Strom,
Churchill,	Lohnes,	Thompson,

Messrs—	Messrs—	Messrs—
Cochrane,	McArthur,	Towers,
Davis,	McCanna,	Tufts,
Deans,	McCulloch,	Ueland,
Hagen,	McLean,	Veeder,
Hall,	O'Keefe,	Wallen,
Hallum,	Oksendahl,	Wineman,
Halvorson,	Oliver,	Wishek,
Haugen,	Pierce,	Yegen,
Havrevold,	Plain,	Mr. Speaker.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Ebbighausen,	James,	Rinde,
Elliott,	Johnson of Sargent,	Severson,
Holliday,	Johnston,	Thexton,
Horgan,	Kelly,	Wright.
Hurley,	Newman,	

So the bill passed and the title was agreed to.

House Bill No. 118,

A bill for an act to amend section 5416 of the Compiled Laws of 1887, being section 602 of the Code of Civil Procedure, Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 45, nays none.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Havrevold,	Sanford,
Bentley,	Hodgson,	Satterlund,
Boynton,	Johnson of G'd Forks,	Simpson,
Bullard,	Larson,	Southard,
Burkhardt,	Lee,	Strom,
Caldwell,	Logan,	Thompson,
Churchill,	Lohnes,	Towers,
Cochrane,	McArthur,	Tufts,
Davis,	McCanna,	Ueland,
Deans,	McCulloch,	Veeder,
Hagen,	O'Keefe,	Wallen,
Hall,	Oksendahl,	Wineman,
Hallum,	Oliver,	Wishek,
Halvorson,	Plain,	Yegen,
Haugen,	Ritter,	Mr. Speaker.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Ebbighausen,	Johnson of Sargent,	Pierce,
Elliott,	Johnston,	Rinde,
Holliday,	Kelly,	Severson,
Horgan,	Levang,	Thexton,
Hurley,	McLean,	Wright.
James,	Newman,	

So the bill passed and the title was agreed to.

House Bill No. 131,

A bill for an act to amend and re-enact chapter 140 of the Laws of 1890,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 36, nays 8.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Haugen,	Oliver,
Bentley,	Hodgson,	Satterlund,
Boynton,	Johnson of G'd Forks,	Simpson,
Bullard,	Larson,	Southard,
Burkhardt,	Lee,	Strom,
Churchill,	Levang,	Tufts,
Cochrane,	Logan,	Veeder,
Deans,	McArthur,	Wallen,
Ebbighausen,	McCanna,	Wineman,
Hall,	Newman,	Wishek,
Hallum,	O'Keefe,	Yegen,
Halvorson,	Oksendahl,	Mr. Speaker.

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Caldwell,	Plain,	Towers,
Hagen,	Sanford,	Ueland.
McCulloch,	Thompson,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Davis,	James,	Pierce,
Elliott,	Johnson of Sargent,	Rinde,
Havrevold,	Johnston,	Ritter,
Holliday,	Kelly,	Severson,
Horgan,	Lohnes,	Thexton,
Hurley,	McLean,	Wright.

So the bill passed and the title was agreed to.

REPORTS OF STANDING COMMITTEES.

The Committee on Engrossed Bills made the following report:

MR. SPEAKER:

Your Committee on Engrossed Bills have examined House Bill No. 71,

A bill for an act to provide for the preservation of official bonds of township and school officers and facilitate the safe transmission of funds of civil townships and school districts from the county treasury.

Also,

House Bill No. 77,

A bill for an act admitting books as evidence.

Also,

House Bill No. 80,

A bill for an act defining the powers and duties of the State Auditor.

Also,

House Bill No. 118,

A bill for an act to amend section 5416 of the Compiled Laws of 1887, being section 602 of the Code of Civil Procedure.

Also,

House Bill No. 46,

A bill for an act to amend section 1 of chapter 25 of the Laws of 1887, entitled "An act to amend sections 266 and 268 of chapter 12 of the Code of Civil Procedure, relating to trials and judgments in civil actions," the same being section 5066 of the Compiled Laws.

Also,

House Bill No. 58,

A bill for an act repealing chapter 40 of the Political Code of 1877, relating to public education; chapter 14 of the Session Laws of 1879, being an act to establish a public school law for Dakota Territory; chapter 24 of the Laws of 1881, being an act to empower school districts to issue bonds for building school houses; chapter 64 of the Laws of 1881, being an act to amend an act entitled "An act to establish a public school law for Dakota Territory," approved February 22, 1879; chapter 65 of the Laws of 1881, being an act to amend sections 8 and 29 of an act to establish a public school law for Dakota Territory, approved February 22, 1879; chapter 66 of the Laws of 1881, being an act to amend section 17 and section 18 of chapter 14 of the Laws of 1879; chapter 67 of the Laws of 1881, being an act to amend section 40 of an act to establish a public school law for Dakota Territory; chapter 68 of the Laws of 1881, being an act to amend section 40 of an act to establish a public school law for Dakota Territory; chapter 69 of the Laws of 1881, being an act making provisions for the schooling of children living in any organized district; chapter 44 of the Laws of 1883, being an act to establish and provide for the maintenance of a general and uniform system of common schools and improve their usefulness; chapter 46 of the Laws of 1883, being an act to create the office of Assistant Superintendent of Public Instruction, and to provide for his salary and proper expenses; chapter 49 of the Laws of 1885, being an act to amend chapter 44 of the Session Laws of 1883, entitled "Education;" chapter 50 of the Laws of 1885, being an act to amend chapter 45 of the Laws of 1885, empowering school townships to issue their bonds for building and furnishing school houses; chapter 51 of the Laws of 1885, being an act to amend section 9 of chapter 45 of the Laws of Dakota for 1883; chapter 44 of the Laws of 1887, being an act entitled "An act to require teachers of public schools to keep a record of the visits of county superin-

tendents:" chapter 45 of the Laws of 1887, being an act to provide for the registration and payment of warrants drawn by the secretary and treasurer of boards of education in this territory and to prescribe the rate of interest thereon; chapter 46 of the Laws of 1887, being an act to amend sections 46 and 66 of chapter 44 of the General Laws of 1883; chapter 47 of the Laws of 1887, being an act to amend chapter 44 of the Session Laws of 1883, relating to education.

And find the same correctly engrossed.

J. DEXTER PIERCE,
Chairman.

Mr. Speaker announced a recess for fifteen minutes.

House called to order.

INTRODUCTION OF BILLS.

Mr. Boynton (by unanimous consent) introduced—
House Bill No. 198,

A bill for an act to appropriate the sum of one hundred and forty-six and 10-100 dollars for services and expenses as member of Investigation Committee appointed by the Governor in accordance with concurrent resolution of this Legislative assembly,

Which was read the first time.

Also (by unanimous consent),
House Bill No. 199,

A bill for an act to appropriate the sum of one hundred and seventy and 20-100 dollars for service and expense of a member of the Investigation Committee appointed by the Governor in accordance with concurrent resolution of this Legislative Assembly,

Which was read the first time.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

EXECUTIVE CHAMBER, }
February 13, 1893. }

To the Honorable House of Representatives:

GENTLEMEN: I have the honor to inform you that I have this day approved and filed with the Secretary of State satisfactory deeds and abstracts to the eighty acres of land in the county of Grand Forks donated to the State of North Dakota by the citizens of Grand Forks, to be used for an annual exhibit of agricultural products, stock, etc., pursuant to chapter 24, Laws of 1890.

Very respectfully,

E. C. D. SHORTRIDGE,
Governor.

Mr. Speaker appointed Messrs. Benedict, Horgan and Thomp-

son a committee to notify the Senate that the House was in readiness to receive the Senate in Joint Session to ballot for a United States Senator.

The Sergeant-at-Arms announced the Lieutenant Governor, members of the Senate and officers thereof, with the House committee escorting, in waiting.

JOINT SESSION.

The Joint Session of the two Houses was called to order by the Lieutenant Governor, the President of the Senate.

The rolls of the respective Houses were called.

All members present except Messrs. Elliott, Hurley, Johnson of Sargent, Johnston, Kelly, Rinde, Severson and Wright of the House.

Messrs. Worst and Kelly, Hurley and Johnston, Newman and Thexton and Haugen and Johnson of Sargent being paired.

Agreements to pair were read between Messrs. Hurley and Johnston, Worst and Kelly, Newman and Thexton, Haugen and Johnson of Sargent.

Mr. Burke demanded a call of the Joint Assembly.

Call seconded.

Mr. Little moved,

To dispense with further proceedings under the call.

Roll call demanded.

The roll being called there were ayes 44, nays 35.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Arnold,	White,	Oksendahl,
Cashel,	Young,	Oliver,
Day,	Benedict,	Pierce,
Enger,	Bentley,	Ritter,
Gregory,	Boynton,	Satterlund,
Haggart,	Bullard,	Simpson,
Ink,	Burkhardt,	Southard,
Johnson,	Churchill,	Strom,
Little,	Cochrane,	Tufts,
LaMoure,	Davis,	Veeder.
McGillivray,	Halvorson,	Wineman,
Miller,	Havrevold,	Wishek,
Palmer,	Larson,	Yegen.
Sorley,	Lohnes,	Mr. Speaker.
Svensrud,	McArthur.	

Those voting in the negative were:

Messrs—	Messrs—	Messrs—
Bidlake,	Caldwell,	Logan,
Brynjolfson,	Deans,	McCanna,
Burke,	Ebbighausen,	McCulloch,
Engle,	Hagen,	McLean,

Messrs—	Messrs—	Messrs—
Fuller,	Hall,	O'Keefe,
Hillier,	Hallum,	Plain,
Kinter,	Hodgson,	Sanford,
Lamb,	Holliday,	Thompson,
McCarten,	Horgan,	Towers,
McCormack,	James,	Ueland,
Patch,	Johnson of G'd Forks,	Wallen.
Stevens,	Levang,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Pinkham,	Hurley,	Newman,
Worst,	Johnson of Sargent,	Rinde,
Elliott,	Johnston,	Thexton,
Haugen,	Kelly,	Wright.

Messrs. Worst, Haugen, Hurley, Johnson of Sargent, Johnston, Kelly, Newman and Thexton being paired.

So the motion to dispense with further proceedings under the call was lost.

Mr. McCormack raised the point of order that nothing was in order until the result of the vote to dispense with further proceedings under the call was announced.

Mr. President decided the point of order well taken.

Mr. Gregory moved

To dispense with further proceedings under the call of the House.

Roll call demanded.

The roll being called there were ayes 45, nays 35.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Arnold,	White,	Oksendahl,
Cashel,	Young,	Oliver,
Day,	Benedict,	Pierce,
Enger,	Bentley,	Ritter,
Gregory,	Boynton,	Satterlund,
Haggart,	Bullard,	Simpson,
Ink,	Burkhardt,	Southard,
Johnson,	Churchill,	Strom,
Little,	Cochrane,	Tufts,
LaMoure,	Davis,	Veeder,
McGillivray,	Halvorson,	Wallen,
Miller,	Havrevold,	Wineman,
Palmer,	Larson,	Wishek,
Sorley,	Lohnes,	Yegen.
Svensrud,	McArthur,	Mr. Speaker.

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Bidlake,	Caldwell,	Levang,
Brynjolfson,	Deans,	Logan,
Burke,	Ebbighausen,	McCanna,

Messrs—	Messrs—	Messrs—
Engle,	Hagen,	McCulloch,
Fuller,	Hall,	McLean,
Hillier,	Hallum,	O'Keefe,
Kinter,	Hodgson,	Plain,
Lamb,	Holliday,	Sanford,
McCarten,	Horgan,	Thompson,
McCormack	James,	Towers,
Patch,	Johnson of G'd Forks,	Ueland.
Stevens,	Lee,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Pinkham,	Johnson of Sargent,	Rinde,
Worst,	Johnston,	Severson,
Elliott,	Kelly,	Thexton,
Haugen,	Newman,	Wright.
Hurley,		

Messrs. Worst, Haugen, Hurley, Johnson of Sargent, Johnston, Kelly, Newman and Thexton being paired.

So the motion to dispense with further proceedings under the call was lost.

The Sergeant-at-Arms made the following report:

MR. PRESIDENT:

Mr. Elliott is too ill to appear. His physician will not allow him to leave the house.

M. B. ROSE,
Sergeant-at-Arms, House.

Mr. Cashel moved,

To dispense with further proceedings under call of the House.

Roll call demanded.

The roll being called there were ayes 46, nays 35.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs.
Arnold,	White,	Oksendahl,
Cashel,	Young,	Oliver,
Day,	Benedict,	Pierce,
Enger,	Bentley,	Ritter.
Gregory,	Boynton,	Satterlund,
Haggart,	Bullard,	Simpson,
Ink,	Burkhardt,	Southard,
Johnson,	Churchill,	Strom,
Little,	Cochrane,	Tufts,
LaMoire,	Davis,	Veeder,
McGillivray,	Halvorson,	Wallen,
Miller,	Havrevold,	Wineman,
Palmer,	Larson,	Wishek,
Pinkham,	Lohnes,	Yegen,
Sorley,	McArthur,	Mr. Speaker.
Svensrud,		

Those voting in the negative were:

Messrs—	Messrs—	Messrs—
Bidlake,	Caldwell,	Levang,
Brynjolfson,	Deans,	Logan,
Burke,	Ebbighausen,	McCanna,
Engel,	Hagen,	McCulloch,
Fuller,	Hall,	McLean,
Hillier,	Hallum,	O'Keefe,
Kinter,	Hodgson,	Plain,
Lamb,	Holliday,	Sanford,
McCarten,	Horgan,	Thompson,
McCormack,	James,	Towers,
Patch,	Johnson of G'd Forks,	Ueland.
Stevens,	Lee,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Worst,	Johnson of Sargent,	Rinde,
Elliott,	Johnston,	Severson,
Haugen,	Kelly,	Thexton,
Hurley,	Newman,	Wright.

Messrs. Worst, Haugen, Hurley, Johnson of Sargent, Kelly, Newman and Thexton being paired.

So the motion to dispense with further proceedings under the call was lost.

Mr. Kinter raised the point of order that no member under the rules can vote unless he is in his seat.

Mr. President decided the point of order well taken.

Mr. Sorley moved

To dispense with further proceedings under call of the House.

Roll call demanded.

The roll being called there were ayes 46, nays 35.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Arnold,	White,	Oliver,
Cashel,	Young,	Pierce,
Day,	Benedict,	Ritter,
Enger,	Bentley,	Satterlund,
Gregory,	Boynton,	Simpson,
Haggart,	Bullard,	Southard,
Ink,	Burkhardt,	Strom,
Johnson,	Churchill,	Tufts,
Little,	Cochrane,	Veeder,
LaMoure,	Davis,	Wallen,
McGillivray,	Halvorson,	Wineman,
Miller,	Havrevold,	Wishek,
Palmer,	Larson,	Yegen,
Pinkham,	Lohnes,	Mr. Speaker.
Sorley,	Oksendahl,	
Svensrud,		

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Bidlake,	Caldwell,	Logan,
Brynjolfson,	Deans,	McArthur,

Messrs—	Messrs—	Messrs—
Burke,	Ebbighausen,	McCanna,
Engle,	Hagen,	McCulloch,
Fuller,	Hall,	McLean,
Hillier,	Hallum,	O'Keefe,
Kinter,	Hodgson,	Plain,
Lamb,	Holliday,	Sanford,
McCarten,	Horgan,	Thompson,
McCormack,	James,	Towers,
Patch,	Johnson of G'd Forks,	Ueland.
Stevens,	Lee,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Worst,	Johnston,	Rinde,
Haugen,	Kelly,	Severson,
Hurley,	Levang	Thexton,
Johnson of Sargent,	Newman,	Wright.
Elliott,		

Messrs. Worst, Haugen, Hurley, Johnson of Sargent, Johnston, Kelly, Newman and Thexton being paired.

So the motion to dispense with further proceedings under the call was lost.

Mr. Little moved,

To dispense with further proceedings under call of the House.

Roll call demanded.

The roll being called there were ayes 47, nays 31.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Arnold,	Boynton,	O'Keefe,
Burke,	Bullard,	Oksendahl,
Cashel,	Burkhardt,	Oliver,
Enger,	Churchill,	Pierce,
Engle,	Davis,	Ritter,
Haggart,	Ebbighausen,	Southard,
Johnson,	Halvorson,	Strom,
Kinter,	Hodgson,	Towers,
Lamb,	Johnson of G'd Forks,	Ueland,
Little,	Lee,	Veeder,
McCarten,	Logan,	Wallen,
Palmer,	Lohnes,	Wineman,
Pinkham,	McArthur,	Wishek,
Sorley,	McCanna,	Yegen,
Svensrud,	McCulloch,	Mr. Speaker.
Bentley,	McLean,	

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Bidlake,	Patch,	Holliday,
Brynjolfson,	Stevens,	Horgan,
Day,	White,	James,
Fuller,	Young,	Larson,
Gregory,	Benedict,	Levang,
Hillier,	Caldwell,	Plain,
Ink.	Cochrane,	Sanford,

Messrs— LaMoure, McCormack, McGillivray, Miller,	Messrs— Deans, Hall, Hallum, Havrevold,	Messrs— Satterlund, Simpson, Thompson, Tufts.
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Absent and not voting:

Messrs— Worst, Elliott, Haugen, Hagen, Hurley,	Messrs— Johnson of Sargent, Johnston, Kelly, Newman,	Messrs— Rinde, Severson, Thexton, Wright.
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Messrs. Worst, Haugen, Hurley, Johnson of Sargent, Johnston, Kelly, Newman and Thexton being paired.

So the motion to dispense with further proceedings under the call prevailed.

A verification of the roll on the motion was had.

The Journal of the Joint Session of the 40th legislative day was read.

Mr. Deans moved

That the reading of the names be dispensed with,
Which motion prevailed.

There being no objections, the Journal of the Joint Session of the 40th legislative day was approved.

Mr. McGillivray moved

That the Joint Assembly do now proceed to take the forty-fifth ballot for a United States Senator,

Which motion prevailed, and

The Joint Session proceeded to take the forty-fifth ballot for a United States Senator.

FORTY-FIFTH BALLOT:

The roll being called there were 81 votes cast, of which Mr. H. F. Miller received 22, Mr. J. Miller 14, Mr. Roach 13, Mr. Stevens 10, Mr. Walsh 7, Mr. Muir 3, Mr. Hodgson 2, Mr. J. Jeff. Dobbin 5, Mr. Oliver 2, Mr. Anderson 1, Mr. Gregory 1, Mr. Taylor Crum 1.

Those who voted for Mr. Stevens were:

Messrs. Bidlake, Ink, Lamb, McCarten, Hodgson, Lee, McCanna, McCulloch, Towers, Ueland—10.

Those who voted for Mr. Roach were:

Messrs. Brynjolfson, Burke, Engle, Kinter, Patch, Deans, Hall, Hallum, Holliday, James, McLean, O'Keefe, Sanford—13.

Those who voted for Mr. Muir were:

Messrs. Stevens, Bullard, Levang—3.

Those who voted for Mr. H. F. Miller were:

Messrs. Gregory, Haggart, Little, McGillivray, Miller, Palmer, Young, Benedict, Bentley, Boynton, Burkhardt, Churchill, Cochran, Havrevold, Larson, Oksendahl, Ritter, Satterlund, Tufts, Wishek, Yegen, Mr. Speaker—22.

Those who voted for Mr. John Miller were:

Messrs. Cashel, Day, Enger, Fuller, Hillier, Johnson, Pinkham, Svensrud, McArthur, Southard, Strom, Thompson, Veeder, Wallen—14.

Those who voted for Mr. Walsh were:

Messrs. McCormack, Sorley, Halvorson, Johnson of Grand Forks, Oliver, Pierce, Plain—7.

Those who voted for Mr. J. Jeff. Dobbin were:

Messrs. LaMoure, White, Hagen, Horgan, Logan—5.

Those who voted for Mr. Hodgson were:

Messrs. Caldwell, Lohnes—2.

Those who voted for Mr. Oliver were:

Messrs. Davis, Wineman—2.

Mr. Simpson voted for Mr. Gregory.

Mr. Arnold voted for Mr. Anderson.

Mr. Ebbighausen voted for Mr. Taylor Crum.

Absent and not voting:

Messrs. Worst, Elliott, Haugen, Hurley, Johnson of Sargent, Johnston, Kelly, Newman, Rinde, Severson, Thexton and Wright.

Messrs. Worst, Haugen, Hurley, Johnson of Sargeant, Johnston, Kelly, Newman and Thexton being paired.

Mr. Svensrud moved

That the Joint Assembly do now dissolve,
Which motion prevailed, and
The Joint Assembly dissolved.

J. G. HAMILTON,
Clerk of the Joint Session.

House reassembled.

Mr. Davis moved

That the House do now adjourn,
Which motion prevailed, and
The House adjourned.

J. G. HAMILTON,
Chief Clerk.

FORTY-THIRD DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 14, 1893.

The House assembled at 10 o'clock a. m., pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All members present except Messrs. Elliott, Hurley, Johnston, Johnson of Sargent, Kelly, Rinde, Severson, Thexton and Wright.

The committee to revise and correct the Journal made the following report:

MR. SPEAKER:

Your committee to revise and correct the Journal have examined the same and report the Journal of the House proceedings of the forty-second day to be correct.

D. C. TUFTS,
Chairman.

There being no objections, the Journal of the House proceedings of the forty-second day was approved.

REPORTS OF STANDING COMMITTEES.

The Committee on Taxation and Tax Laws made the following report:

MR. SPEAKER:

Your Committee on Taxation and Tax Laws, to whom was referred

House Bill No. 32,

A bill for an act to amend section 3, chapter 100, of the Session Laws of 1890, providing for the collection of city and school taxes,

Have had the same under consideration and recommend that the substitute herewith reported, endorsed "Substitute by Mr.

Oliver, for House Bill No. 32, introduced by Mr. Wineman, A bill for an act to amend section 3 of chapter 100 of the Session Laws of 1890, providing for the collection of city and school taxes," do pass in lieu thereof.

H. C. SOUTHARD,
Chairman.

Also, the following minority report:

MR. SPEAKER:

Your Committee on Taxation and Tax Laws, to whom was referred

House Bill No. 32,

A bill for an act to amend section 3 of chapter 100 of the Session Laws of 1890, providing for the collection of city and school taxes,

Have had the same under consideration and recommend that the same do pass.

J. B. WINEMAN,
Minority.

Mr. Oliver moved

That the majority report be adopted.

Mr. Newman moved

As a substitute motion that the minority report be adopted.

Roll call demanded.

The roll being called there were ayes 34, nays 12.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Johnson of G'd Forks,	Ritter,
Bentley,	Levang,	Strom,
Bullard,	Logan,	Thompson,
Burkhardt,	McCulloch.	Towers,
Caldwell,	McLean,	Tufts,
Hagen,	Newman,	Ueland.
Hallum,	O'Keefe,	Veeder,
Halvorson,	Oksendahl,	Wallen,
Haugen,	Oliver,	Wineman,
Hodgson,	Pierce,	Wishek,
Horgan,	Plain,	Mr. Speaker.
James,		

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Cochrane,	Larson,	Satterlund,
Deans,	Lohnes,	Simpson,
Havrevold,	McArthur,	Southard,
Holliday,	McCanna,	Yegen.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Hurley,	Rinde,
Churchill,	Johnson of Sargent,	Sanford,
Davis,	Johnston,	Severson,

Messrs—
Ebbighausen,
Elliott,
Hall,

Messrs—
Kelly,
Lee,

Messrs—
Thexton,
Wright.

So the minority report was adopted.

Mr. Oliver announced that on Friday next he would move to reconsider the vote by which the minority report was adopted.

The Committee on Taxation and Tax Laws made the following report:

MR. SPEAKER:

Your Committee on Taxation and Tax Laws, to whom was referred

House Bill No. 66,

A bill for an act to amend sections 49 and 53 of chapter 132 of the Laws of 1890, entitled "Revenue and Taxation,"

Have had the same under consideration and recommend that the same be amended as follows:

By adding after the word "correspond" in line sixteen of original bill the word "substantially," and after the word "the" in line nineteen of original bill the words "amount of." Also by adding after the word "county" in line twenty-five of original bill the words following: "Such tax lists shall be *prima facie* evidence of the legality and validity of all taxes specified therein and of the regularity of all prior proceedings in relation to such taxes." Also by adding the following section: "Section 2. Chapter 122 of the Laws of Dakota Territory for the year 1889 is hereby repealed."

And when so amended recommend that the same do pass.

H. C. SOUTHARD,
Chairman.

The Committee on Judiciary made the following report:

MR. SPEAKER:

Your Committee on Judiciary, to whom was referred

Senate Bill No. 42,

A bill for an act defining the boundaries of the Second Judicial District, subdividing the same and fixing the terms of court to be held therein,

Have had the same under consideration and recommend that the same do pass.

Also,

Senate Bill No. 57,

A bill for an act defining the duties of the Attorney General as to escheats,

And recommend that the same be indefinitely postponed.

Also,

Senate Bill No. 80,

A bill for an act to amend section 26 of chapter 39 of the Political Code, being section 1427 of the Compiled Laws, as to collection and taxation of a jury fee in civil cases,

And recommend that the same be indefinitely postponed.

Also,

House Bill No. 146,

A bill for an act regulating sale under chattel mortgages,
And recommend that the same be indefinitely postponed.

SETH NEWMAN,
Chairman.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, February 14, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith
Senate Bill No. 111,

A bill for an act to amend section 1 of chapter 6 of the Laws of 1879 as amended by section 38, sub-chapter 1 of chapter 112 of the Laws of 1883, and by section 1 of chapter 161, Laws of 1887, being section 1374 of the Compiled Laws relating to the amounts of the bonds of various officers.

Also,

Senate Bill No. 62,

A bill for an act appropriating money from the State Treasury not otherwise appropriated to recompense the county auditor of the county of Ward for services in making out and extending the tax lists and making abstracts of the same, and in doing and performing all the other acts that the law provides that he shall do and perform in the assessment and collection of the State tax in the unorganized counties of Buford, Montrailie, Flannery and Renville in the years 1890, 1891 and 1892,

Which the Senate has passed and your favorable consideration thereof is respectfully requested.

Also,

To inform the House that the Senate has concurred in the House amendments to

Senate Bill No. 44,

A bill for an act forbidding the use of telegraph and telephone lines for certain purposes, and providing a penalty therefor,

Respectfully,

FRED FALLEY,
Secretary.

Mr. Ueland moved

That House Bill No. 127 be recommitted to the Committee on State Affairs for correction,

Which motion prevailed.

The Committee on Judiciary made the following report:

MR. SPEAKER:

Your Committee on Judiciary, to whom was referred

House Bill No. 149,

A bill for an act authorizing the appointment of stenographers for the District Courts of this State and prescribing their duties and compensation, and repealing chapter 152 of the laws of 1879, being sections 481, 482, 483, 484, 485 and 486 of the Compiled Laws of 1887 in relation thereto,

Have had the same under consideration and recommend that the same be amended as follows:

Amend the title so that the words and figures "Chapter 152 of the Laws of 1879" shall read "Chapter 52 of the Laws of 1879." Also by adding to section 1 the words following: "But in case such official stenographer shall be incapacitated to act the judge may appoint some suitable person to act in his place, whose minutes, transcripts and certificates shall have the same force and effect as though made by such official stenographer, but the certificates made by such person shall be under oath,"

And when so amended recommend that the same do pass.

Also,

Senate Bill No. 78,

A bill for an act to amend paragraph 40 of chapter 68 of the Laws of 1891,

And recommend that the same do pass.

Also,

Senate Bill No. 48,

A bill for an act fixing the minimum time for which offenders may be committed to the penitentiary,

And recommend that the same be amended as follows:

By striking out the words "six months" in line numbered 19 of the engrossed bill and inserting and adding in lieu thereof the words "one year,"

And when so amended recommend that the same do pass.

Also,

Senate Bill No. 39,

A bill for an act to amend section 778 of the Civil Code, being section 3401 of the Compiled Laws, relating to the succession of real and personal property,

And recommend that the same be amended as follows:

By inserting and adding in line numbered 13 on page 2 of engrossed bill, after the words "children living," the words "or to the child living."

Also by inserting in line numbered 23 of page 3 of the engrossed bill, between the words "next" and "kin," the word "of," so as to read "next of kin."

And when so amended recommend that the same do pass.

Also,

House Bill No. 128,

A bill for an act to amend section 2578 of the Compiled Laws of 1887, relating to divorce,

And recommend that the same be indefinitely postponed.

SETH NEWMAN,
Chairman.

Also, the following minority report:

MR. SPEAKER:

Your Committee on Judiciary, to whom was referred
House Bill No. 128,

A bill for an act to amend section 2578, Compiled Laws of 1887,
relating to divorce.

Have had the same under consideration and recommend that
the same do pass.

D. W. McCANNA,
RALF HALL,
J. B. WINEMAN.

Mr. Johnson of Grand Forks moved
That the minority report be adopted.

Mr. Newman moved

As a substitute that the majority report be adopted.

Mr. Oliver raised the point of order that a bill on the same
subject had been before the House during the present session
and a second bill covering the same subject could not be intro-
duced in the House this session.

The Speaker took the question under advisement.

The Committee on Agriculture made the following report:

MR. SPEAKER:

Your Committee on Agriculture, to whom was referred
House Bill No. 164,

A bill for an act regulating the operation of traction engines on
streets and public highways within the State,

Have had the same under consideration and recommend that
the same do not pass.

O. S. WALLEN,
Chairman.

Mr. Strom moved

That House Bill No. 164 be referred to general orders,
Which motion prevailed.

The Committee on Agriculture made the following report:

MR. SPEAKER:

Your Committee on Agriculture, to whom was referred
House Bill No. 110,

A bill in relation to persons and corporations offering
premiums for testing the speed of horses, and to prevent the
fraudulent entering of horses to compete for such premiums,

Have had the same under consideration and recommend that the same be amended as follows:

Strike out all of section 2 after the word "be" in line 3 and insert in lieu thereof "punished by imprisonment in the county jail not to exceed one year or by fine not to exceed one thousand dollars, or both."

And when so amended recommend that the same do pass.

Also,

House Bill No. 180,

A bill for an act to repeal chapter 27 of the Laws of 1890, entitled "An act to establish a board of inspectors for steam vessels and steam boilers and to provide for licensing engineers of steam engines,"

And recommend that the same do pass.

O. S. WALLEN,
Chairman.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, February 14, 1893. }

MR. SPEAKER:

I have the honor to inform the House that the President of the Senate has appointed as Senate members of the Joint Committee to consider amendments to the Australian ballot law, Messrs. Ink, Kinter and Stevens.

Respectfully,
FRED FALLEY,
Secretary.

The Committee on Elections and Privileges made the following report:

MR. SPEAKER:

Your Committee on Elections and Privileges, to whom was referred

House Bill No. 170,

A bill for an act for the registration of the legal voters of this State, outside of cities containing more than 3,000 people, to be made from data and other means to be furnished the local assessor,

Have had the same under consideration and recommend that the same be amended as follows:

After the word "voter" in the ninth line of the printed bill insert the word "registered,"

And when so amended recommend that the same do pass.

JNO. YEGEN,
Chairman.

The Committee on Appropriations made the following report:

MR. SPEAKER:

Your Committee on Appropriations, to whom was referred

House Bill No. 43,

A bill for an act to appropriate money to reimburse the Soldiers' Home Board for expenses incurred, including clerk hire,

Have had the same under consideration and recommend that the attached substitute bill do pass.

Also,

House Bill No. 62,

A bill for an act providing an appropriation for payment of bounty upon the manufacture of potato starch in the State of North Dakota,

And recommend that the same do pass.

Also,

House Bill No. 177,

A bill for an act making an appropriation to pay certain expenses incurred by the Third Legislative Assembly of the State of North Dakota,

And recommend that the same do pass.

Also,

House Bill No. 87,

A bill for an act authorizing a board, consisting of the Governor, Attorney General and State Auditor, to purchase or erect a suitable residence for the Chief Executive and to furnish the same,

And recommend that the same do pass.

Also,

House Bill No. 182,

A bill for an act appropriating \$60 to reimburse J. B. Sinclair, messenger of the House, for expenses incurred in transmitting House matters to and from the Capitol and printing office,

And recommend that the attached substitute bill do pass.

WM. A. BENTLEY,
Chairman.

MOTIONS AND RESOLUTIONS.

Mr. Hagen moved

That House Bill No. 151 be recalled from the Committee on Railroads and be made a special order for to-morrow at 11 o'clock a. m.,

Which motion was lost.

Mr. Satterlund introduced the following resolution:

RESOLUTION.

Resolved by the House of Representatives in session convened, That the Speaker is hereby authorized and instructed to appoint the following Assistant Enrolling and Engrossing Clerks, viz: James Staley of McLean county,

Jacob Lindall of Pembina county, Ralph Chase of Burleigh county, Frank Bryant of Logan county, Fred Borowsky of Cavalier county, D. S. Dobbs of Nelson county, Miss Grace Potter of Cass county, L. Swennumson of Walsh county.

Mr. McCulloch moved
That the resolution lie on the table,
Which motion prevailed.

Mr. Strom presented the following petition:

To the Honorable Senators and Representatives of the State of North Dakota:

We, the undersigned citizens of the State of North Dakota, believing our wealth is in our soil, and the only means of abstracting it is through proper climatic conditions, natural or artificially induced by the means of tree culture or irrigation methods, and that as nature has been uncertain with us in the past, we positively believe that the investigations, researches and applications brought out through the Department of Irrigation and Forestry of our State will result in much good, we most respectfully pray that the present law creating this department may now stand as it is and may not be repealed.

Signed by

CHAS. ADLER,
And One Hundred Others.

Mr. Bentley offered the following resolution and moved its adoption:

Resolved, That the absent members of this House who are not paired but absent, be excused for to-day, February 14, 1893.

Roll call demanded.

The roll being called there were ayes 22, nays 31.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Havrevold,	Simpson,
Bentley,	Larson,	Strom,
Bullard,	Lohnes,	Tufts,
Burkhardt,	Oksendahl,	Veeder,
Churchill,	Oliver,	Wishek,
Cochrane,	Pierce,	Yegen,
Davis,	Satterlund,	Mr. Speaker.
Halvorson,		

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Boynton,	James,	O'Keefe,
Caldwell,	Johnson of G'd Forks,	Plain,
Deans,	Lee,	Ritter,
Ebbighausen,	Levang,	Sanford,
Hagen,	Logan,	Southard,
Hall,	McArthur,	Thompson,
Hallum,	McCanna,	Towers,
Haugen,	McCulloch,	Ueland,
Hodgson,	McLean,	Wallen,
Holliday,	Newman,	Wineman.
Horgan,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Elliott,	Johnston,	Severson,
Hurley,	Kelly,	Thexton,
Johnson of Sargent,	Rinde,	Wright.

So the resolution was lost.

INTRODUCTION OF BILLS, JOINT RESOLUTIONS AND MEMORIALS.

Mr. Oliver moved

That the rules be suspended and that all substitute bills have their first and second reading,
Which motion prevailed.

Mr. Speaker called Mr. McCulloch to the chair.

Substitute for House Bill No. 43,

A bill for an act providing for an appropriation for the payment of the salary of the secretary and the mileage and expenses of the commissioners of the Soldiers' Home for the two years ending December 31st, 1892,

Was read the first and second times.

Substitute for
House Bill No. 14,

An act amending sections 5048 and 5049, Compiled Laws of 1887, relating to trials,

Was read the first and second times.

Substitute for
House Bill No. 30,

A bill for an act to fix the terms of the district court in the Third Judicial District,

Was read the first and second times.

Mr. Newman introduced—
House Bill No. 200,

A bill for an act to re-enact section 779 and sub-division 5 of section 2594 of the Civil Code,

Which was read the first time.

Mr. Cochrane introduced—
House Bill No. 201,

A bill for an act providing for a State bounty for the destruction of wolves,

Which was read the first time.

Also,
House Bill No. 202,

An act to authorize and regulate within this State the business of commercial credit companies and guarantee associations,

Which was read the first time.

Mr. Simpson introduced—
House Bill No. 203,

An act to provide for the ascertaining and giving notice of the lands of the heirs of deceased persons,

Which was read the first time.

Mr. Logan introduced—

House Bill No. 204,

A bill for an act to amend chapter 71 of the Laws of 1891 relative to wolf bounty,

Which was read the first time.

The Attorney General sent an address to the Legislative Assembly.

Mr. Oliver moved

That the chief clerk return the communication to the Attorney General with the statement that when this House wants a communication from any State officer it will ask for the same by resolution.

Mr. Ueland moved

As a substitute that the communication from the Attorney General be read,

Which substitute motion prevailed, and

A part of the address was read, when

Mr. Horgan moved

That the further reading of the communication from the Attorney General be indefinitely postponed.

Mr. Ueland moved

As a substitute that the further consideration of the communication be deferred; that it be printed in the Journal, and that it be taken up again in connection with the report of the Investigation Committee.

Mr. Oliver moved

To lay the motion on the table.

Roll call demanded.

The roll being called there were ayes 30, nays 19.

Those who voted in the affirmative were:

Messrs—

Benedict,
Bentley,
Boynton,
Bullard,
Burkhardt,
Churchill,
Cochrane,
Halvorson,
Haugen,
Havrevold,

Messrs—

Horgan,
James,
Larson,
Lohnes,
McArthur,
McCanna,
Newman,
O'Keefe,
Oksendahl,
Oliver,

Messrs—

Pierce,
Ritter,
Satterlund,
Simpson,
Southard,
Tufts,
Veeder,
Wishek,
Yegen,
Mr. Speaker.

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Caldwell,	Johnson of G'd Forks,	Plain,
Deans,	Lee,	Sanford,
Ebbighausen,	Levang,	Strom,
Hagen,	Logan,	Thompson,
Hallum,	McCulloch,	Towers,
Hodgson,	McLean,	Ueland.
Holliday,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Davis,	Johnston,	Thexton,
Elliott.	Kelly,	Wallen,
Hall,	Rinde,	Wineman,
Hurley,	Severson,	Wright.
Johnson of Sargent,		

So the motion prevailed.

The question recurring upon the motion to indefinitely postpone,

The motion prevailed.

Mr. Speaker appointed Messrs. Havrevold, Deans and McLean a committee to notify the Senate that the House was in readiness to receive the Senate in Joint Session to ballot for a United States Senator.

The Sergeant-at-Arms announced the Lieutenant-Governor, members of the Senate and officers thereof, with the House committee escorting, in waiting.

JOINT SESSION.

The Joint Session of the two houses was called to order by the Lieutenant-Governor, the President of the Senate.

The rolls of the respective Houses were called.

All members present except Messrs. Elliott, Hurley, Johnston, Kelly, Rinde, Severson, Thexton and Wright.

Messrs. Hurley and Johnston and Worst and Kelly being paired.

The Journal of the Joint Session of the 42d legislative day was read.

Mr. Ueland moved

That the reading of the names be dispensed with,
Which motion prevailed.

There being no objections, the Journal of the Joint Session of the forty-second day was approved.

Mr. Sorley moved

That the Joint Session do now proceed to take the forty-sixth ballot for a United States Senator,

Which motion prevailed, and

The Joint Session proceeded to take the forty-sixth ballot for a United States Senator.

FORTY-SIXTH BALLOT.

The roll being called, there were 83 votes cast, of which Mr. H. F. Miller received 29, Mr. J. Miller 8, Mr. Muir 3, Mr. McConnell 17, Mr. Walsh 8, Mr. Palmer 11, Mr. Roach 2, Mr. McCarten 5.

Those who voted for Mr. McCarten were:

Messrs. Caldwell, Hodgson, McCulloch, Towers, Ueland—5.

Those who voted for Mr. Roach were:

Messrs. Johnson of Grand Forks, O'Keefe—2.

Those who voted for Mr. Muir were:

Messrs. Stevens, Hagen, Levang—3.

Those who voted for H. F. Miller were:

Messrs. Arnold, Gregory, Haggart, Ink, Little, LaMoure, McGillivray, Miller, Palmer, White, Young, Benedict, Bentley, Boynton, Bullard, Burkhardt, Churchill, Cochrane, Larson, McArthur, Newman, Oliver, Ritter, Satterlund, Simpson, Tufts, Veeder, Wishek, Mr. Speaker—29.

Those who voted for John Miller were:

Messrs. Cashel, Fuller, Johnson, Pinkham, Pierce, Southard, Strom, Wallen—8.

Those who voted for Mr. Walsh were:

Messrs. Enger, Hillier, Sorley, Halvorson, Haugen, James, Wineman, Yegen—8.

Those who voted for Mr. McConnell were:

Messrs. Bidlake, Brynjolfson, Burke, Engle, Kinter, McCormack, Patch, Deans, Ebbighausen, Hall, Hallum, Holliday, Horgan, McCanna, McLean, Plain, Sanford—17.

Those who voted for Mr. Palmer were:

Messrs. Day, Lamb, McCarten, Svensrud, Davis, Havrevold, Lee, Logan, Lohnes, Oksendahl, Thompson—11.

Absent and not voting:

Messrs. Elliott, Hurley, Johnston, Kelly, Rinde, Severson, Thexton, Worst, and Wright.

Messrs. Hurley and Johnston, Worst and Kelly being paired.

Mr. White moved that

The Joint Session do now proceed to take the forth-seventh ballot for a United States Senator,

Which motion prevailed.

FORTY-SEVENTH BALLOT.

The roll being called, there were 83 votes cast, of which Mr.

H. F. Miller received 27, Mr. John Miller 11, Mr. Muir 2, Mr. Walsh 22, Mr. Palmer 7, Mr. Roach 2, Mr. McCarten 12.

Those who voted for Mr. McCarten were:

Messrs. Hillier, Kinter, Lamb, Caldwell, Hagen, Hodgson, Levang, Logan, McCulloch, Thompson, Towers, Ueland—12

Those who voted for Mr. Roach were:

Messrs. Patch, Sanford—2.

Those who voted for Mr. Muir were:

Messrs. Stevens, Hallum—2.

Those who voted for Mr. H. F. Miller were:

Messrs. Arnold, Gregory, Haggart, Ink, Little, LaMoure, McGillivray, Miller, Palmer, White, Young, Benedict, Bentley, Boynton, Burkhardt, Churchill, Cochrane, Larson, Newman, Oliver, Ritter, Satterlund, Simpson, Tufts, Veeder, Wishek, Mr. Speaker—28.

Those who voted for Mr. J. Miller were:

Messrs. Cashel, Fuller, Johnson, McCarten, Pinkham, Bullard, McArthur, Pierce, Southard, Strom, Wallen—11.

Those who voted for Mr. Walsh were:

Messrs. Bidlake, Brynjolfson, Burke, Enger, Engle, McCormack, Sorley, Deans, Ebbighausen, Halvorson, Haugen, Holliday, Horgan, James, Johnson of Grand Forks, Lee, McArthur, McLean, O'Keefe, Plain, Wineman, Yegen—22.

Those who voted for Mr. Palmer were:

Messrs. Day, Svensrud, Davis, Hall, Havrevold, Lohnes, Oksendahl—7.

Absent and not voting:

Messrs. Elliott, Hurley, Johnston, Kelly, Rinde, Severson, Thexton, Worst and Wright.

Messrs. Hurley and Johnston and Worst and Kelly being paired.

Mr. Cashel moved

That the Joint Session do now dissolve.

Roll call demanded.

The roll being called there were ayes 49, nays 34.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Arnold,	Palmer,	Levang,
Bidlake,	Patch,	Lohnes,
Brynjolfson,	Pinkham,	McArthur,
Burke,	Svensrud,	McCanna,
Cashel,	Boynton,	McLean,
Day,	Bullard,	Newman,
Enger,	Davis,	O'Keefe,
Engle,	Deans,	Oksendahl
Fuller,	Hall,	Pierce,

Messrs—	Messrs—	Messrs—
Gregory,	Halvorson,	Plain,
Hillier,	Havrevold,	Ritter,
Johnson,	Holliday,	Sanford,
Kinter,	Horgan,	Southard,
Lamb,	James,	Thompson,
LaMoure,	Johnson of G'd Forks,	Tufts,
McCarten,	Lee,	Wallen.
McCormack,		

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Haggart,	Caldwell,	Oliver,
Ink,	Churchill,	Satterlund,
Little,	Cochrane,	Simpson,
McGillivray,	Ebbighausen,	Strom,
Miller,	Hagen,	Towers,
Sorley,	Hallum,	Ueland,
Stevens,	Haugen,	Veeder,
White,	Hodgson,	Wineman,
Young,	Larson,	Wishek,
Benedict,	Logan,	Yegen.
Bentley,	McCulloch,	Mr. Speaker.
Burkhardt,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Elliott,	Johnson	Severson,
Hurley,	Kelly,	Thexton,
Worst,	Rinde,	Wright.

Messrs. Worst, Hurley, Johnston and Kelly being paired.

So the motion to dissolve the Joint Session prevailed, and
The Joint Session dissolved.

J. G. HAMILTON,
Clerk of the Joint Session.

House reassembled.

Mr. Davis moved
That the House do now adjourn,
Which motion was lost.

Mr. McCanna moved
That the House do now take a recess for ten minutes,
Which motion prevailed.

House called to order.

Mr. Simpson moved
That House Bill No. 21 be re-committed to the Committee on
Taxation and Tax Laws,
Which motion prevailed.

FIRST READING OF HOUSE BILLS.

Substitute for House Bill No. 182,
Joint Resolution appropriating money,
Was read the first and second times.

SECOND READING OF HOUSE BILLS.

House Bill No. 186,

A bill for an act entitled "An act to provide for and establish an industrial school and school for manual training at Ellendale, in the county of Dickey and State of North Dakota, as provided for in subdivision 3 of section 16 of the Constitution of this State,

Was read the second time and referred to the Joint Committee on Educational Institutions.

House Bill No. 187,

A bill for an act repealing chapter 20 of the Laws of 1885,

Was read the second time and referred to a special committee—
Mr. Oliver chairman.

House Bill No. 188,

A bill for an act to amend section 1429 of the Compiled Laws, relating to fees of witnesses,

Was read the second time and referred to the Judiciary Committee.

House Bill No. 189,

A bill for an act to amend sections 3, 5, 8, 10, 11 and 12 of of chapter — of the Laws of 1890, entitled "An act to regulate the practice of pharmacy, the licensing of persons to carry on such practice and the sale of poisons in the State of North Dakota,

Was read the second time and referred to the Committee on Public Health.

House Bill No. 191,

A bill for an act to amend section 60 of chapter 86 of the Laws of 1891, entitled "An act to provide a military code for the State of North Dakota,"

Was read the second time and referred to the Committee on Military Affairs.

House Bill No. 192,

A bill for an act entitled "An act to define the crime of fornication and to provide penalties and punishment for the same,"

Was read the second time and referred to the Judiciary Committee.

House Bill No. 193,

A bill for an act to amend an act passed at the second session of the Legislative Assembly of the State of North Dakota, approved March 7, 1891, and entitled "An act to regulate the fees of clerks of the district courts of the State of North Dakota,"

Was read the second time and referred to the Judiciary Committee.

House Bill No. 194,

A bill for an act defining usury and fixing the penalty for taking the same,

Was read the second time and referred to the Committee on Ways and Means.

House Bill No. 195,

A bill for an act to provide for the selection, purchase and ownership of text books by common school districts for the use of the pupils therein and to authorize and regulate the sale or loan of such text books to such pupils,

Was read the second time and referred to the Committee on Education.

House Bill No. 196,

A bill for an act to amend section 1 of chapter 117 of the Laws of 1885, as amended by section 1 of chapter 22 of the Laws of 1887, being section 4897 of the Compiled Laws,

Was read the second time and referred to the Judiciary Committee.

House Bill No. 197,

A bill for an act to amend section 635 of the Code of Civil Procedure,

Was read the second time and referred to the Judiciary Committee.

House Bill No. 198,

A bill for an act to appropriate the sum of one hundred and forty-six and 10-100 dollars for services and expenses as member of Investigation Committee appointed by the Governor in accordance with concurrent resolution of this Legislative assembly,

Was read the second time and referred to the Committee on Appropriations.

House Bill No. 199,

A bill for an act to appropriate the sum of one hundred and seventy and 20-100 dollars for service and expense of a member of the Investigation Committee appointed by the Governor in accordance with concurrent resolution of this Legislative Assembly,

Was read the second time and referred to the Committee on Appropriations.

Mr. Ueland moved

That the rules be suspended and that the House do now consider general orders,

Which motion prevailed.

Mr. Speaker called Mr. Oliver to the chair.

COMMITTEE OF THE WHOLE.

When the committee arose the following report was presented:

MR. SPEAKER:

Your Committee of the Whole have had under consideration House Bill No. 57,

A bill for an act defining the powers and prescribing the duties of the Secretary of State,

Together with the following amendment proposed by the Committee on Ways and Means:

Amendment to House Bill No. 57.—Insert as subdivision 3 of section 3 the following:

The Secretary of State is authorized, in his discretion, to distribute upon application extra copies of the Laws, Journals or other documents deposited in his office. *Provided, however,* That no more shall be distributed than is now by law required to be printed.

And recommend the adoption of the amendment and the passage of the bill as so amended.

Also,

House Bill No. 55,

A bill for an act providing for a State Examiner, defining his duties and fixing his compensation and bond,

Together with the following amendments proposed by the Committee on Ways and Means, and recommend the adoption of the amendment and the passage of the bill as amended:

Amendments to House Bill No. 55.—Add at the close of section 9 of printed bill the following:

And when necessary the State Examiner shall employ stenographers or clerical help, the expense incurred therefor to be collected by the Examiner from the county or corporation in interest.

Amend section 11 by striking out the words "and a contingent fund of \$750 for the incidental expenses of his office," and insert "and his actual and necessary expenses incurred in the discharge of his official duties, to be paid by the State Auditor and Treasurer in the same manner as the salary and expenses of State officers are paid. He is authorized, with the approval of the Governor, to appoint a deputy, who shall receive an annual salary of \$1,800, and his actual traveling expenses, to be audited and approved as hereinafore stated."

Also,

House Bill No. 90,

A bill for an act to amend article 16 of chapter 73 of the Laws of 1887, being sections 1000, 1001, 1002 to 1007, inclusive, of the Compiled Laws of the State of North Dakota, and to re-enact the same as so amended,

Together with the following amendment proposed by the Committee on Municipal Corporations:

Amend line 19, page 7, by striking out the words "in mills" and insert "as other city taxes are levied."

And recommend the adoption of the amendment and the passage of the bill as so amended.

Also,

House Bill No. 112,

A bill for an act authorizing County Commissioners to use moneys belonging to road and bridge funds for reclaiming waste lands, etc.,

And recommend that the bill be amended as follows and when so amended that the bill do pass:

Amend section 1 of House Bill No. 112 so as to read as follows:

Section 1. That the board of county commissioners of any county are hereby authorized to appropriate, use and expend each year such sums of money belonging to the road and bridge funds of their county as they shall deem necessary for the purpose of reclaiming any waste, swamp or unoccupied land, in digging ditches or drains, and using the waste dirt taken therefrom in turnpiking the highway running parallel with said ditches or drains and of constructing culverts across said highway.

Amend section 2 of said bill by striking out the words "and quarter section" as they appear in the two last lines of said section.

Also,

House Bill No. 117,

A bill for an act to amend chapter 132 of the Laws of 1890,

Together with the following amendments proposed by the Committee on Taxation and Tax Laws and the Committee of the Whole, and recommend the adoption of the amendment and the passage of the bill as so amended:

Strike out the word and figures "and 58" in first line of title.

Insert after the words "are hereby amended" in fifth line of printed bill the words "and re-enacted."

Strike out all of said bill numbered as section 58, being lines 100 to 104 of printed bill, both inclusive.

Amend by striking out the figures "58" in first line of section 1 so as to read "That sections 56 and 57 of an act," etc.

Amend by inserting and adding in section 2 after the word "section" in eightieth line, as printed, the words following: "Or that there is any error or omission in the proceedings prescribed by this section."

Also,

House Bill No. 164,

A bill for an act regulating the operation of traction engines upon streets and public highways,

And recommend that the further consideration of the bill be indefinitely postponed.

Also,

House Bill No. 170,

A bill for an act for the registration of the legal voters of this State outside of cities containing more than three thousand people, to be made from data and other means to be furnished by the assessors,

Amend as follows:

After the word "voter" in ninth line of printed bill insert the word "registered,"

And recommend that the bill and amendment be recommitted to the special Joint Committee on Elections and Privileges.

Also,

Senate Bill No. 48,

A bill for an act fixing the minimum time for which offenders may be committed to the Penitentiary,

With the following amendment:

By striking out the words "six months" in line numbered nineteen of the engrossed bill and inserting and adding in lieu thereof the words "one year."

And recommend the adoption of the amendment and the passage of the bill as so amended.

Also,

House Bill No. 149,

A bill for an act authorizing the appointment of stenographers of the district courts of this State and prescribing their duties and compensation and repealing chapter 152 of the Laws of 1879, being sections 481, 482, 483, 484, 485 and 486 of the Compiled Laws of 1887,

Together with the following amendments:

Amend the title so that the words and figures "chapter 152 of the Laws of 1879" shall read "chapter 52 of Laws of 1879."

Also by adding to section 1 the words following: "But in case such official stenographer shall be incapacitated to act the judge may appoint some suitable person to act in his place, whose minutes, transcripts and certificates shall have the same force and effect as though made by such official stenographer, but the certificates made by such person shall be under oath,"

And recommend the adoption of the amendments and the passage of the bill as so amended.

Also,

House Bill No. 66,

A bill for an act to amend sections 49 and 53 of chapter 132, Laws of 1890, entitled Revenue and Taxation,

Together with the following amendments:

By adding after the word "correspond" in line 16 of the original bill the word "substantially," and after the word "the" in line 19 of original bill the words "amount of." Also by adding after the word "county" on line 25 of original bill the words following: "Such tax lists shall be *prima facie* evidence of the legality and validity of all taxes specified therein and of the regularity of all prior proceedings in relation to such taxes."

Also by adding the following section:

"Sec 2. Chapter 122 of the Laws of Dakota Territory for the year 1889 is hereby repealed."

And recommend the adoption of the amendments and the passage of the bill as so amended.

Also,

Senate Bill No. 39,

A bill for an act to amend section 778 of the Civil Code, being section 3401 of the Compiled Laws, relating to the succession of real and personal property, together with the following amendments:

By inserting and adding in line numbered 13 on page 2 of engrossed bill, after the words "children living," the words "or to the child living."

Also by inserting in line numbered 23 of page 3 of the engrossed bill, between the words "next" and "kin," the word "of," so as to read "next of kin."

And recommend the adoption of the amendments and the passage of the bill as so amended.

H. S. OLIVER,
Chairman.

Mr. Ueland moved the adoption of the report,
Which motion prevailed,
And the report of the Committee of the Whole was adopted.

Mr. Wineman moved
That the House do now adjourn,
Which motion prevailed, and
The House adjourned.

J. G. HAMILTON,
Chief Clerk.

FORTY-FOURTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 15, 1893.

The House assembled at 10 o'clock a. m., pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All members present except Messrs. Elliott, Johnston and Rinde.

The committee to revise and correct the Journal made the following report:

MR. SPEAKER:

Your committee to revise and correct the Journal have examined the Journal of the House proceedings of the forty-third day and report the same to be correct.

D. C. TUFTS,
Chairman.

There being no objections, the report of the committee was adopted and the Journal of the House proceedings of the forty-third day was approved.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Hallum presented the following petition:

To the Honorable Body of House of Representatives and Senate, assembled at Bismarck, N. D.:

We, the undersigned citizens of the Independent School District of the village of Walcott, Richland county, N. D., do hereby petition your honorable body to pass an act repealing the act establishing the Independent School District of the village of Walcott, N. D., now in force and effect.

Signed by

C. GILBERTSON,
And Fourteen Others.

Mr. Burkhardt moved
That Senate Bill No. 19 be recommitted to a special committee,
Which motion prevailed.

Mr. Burkhardt presented the following petitions:

To the Legislative Assembly of the State of North Dakota:

We, the undersigned, small ranchmen and farmers in Oliver county, desire to make the following representations to your honorable body:

Senate Bill No. 19, now before your body, proposes to annex to Stark and Mercer counties nearly all the unsurveyed territory in the State which is not now annexed to some county.

Oliver county is one of the two or three small counties in the State, and it is bounded on the west by a vast area of territory which the bill mentioned proposes to give to our neighboring counties; if this is done, these counties will be unnecessarily large and unwieldy, and will contain a vast amount of wealth. Our county, peopled as it is by small farmers and ranchmen, if it is silent now and allows this measure to go through, without a successful protest, will be hemmed in so that it will never be able in the future to secure any of the territory which is being parceled out among its neighbors with such a lavish hand. We hereby petition your honorable body to attach to our county as much of the territory west of us as we are justly entitled to.

Signed by

JAMES MELAROSE,
And Nineteen Others.

To the Legislative Assembly of the State of North Dakota:

We, the undersigned, small ranchmen and farmers in Oliver county, desire to make the following representations to your honorable body:

Senate Bill No. 19, now before your body, proposes to annex to Stark and Mercer counties nearly all the unsurveyed territory in the State which is not now annexed to some county.

Oliver county is one of the two or three small counties in the State, and it is bounded on the west by a vast area of territory which the bill mentioned proposes to give to our neighboring counties; if this is done, these counties will be unnecessarily large and unwieldy and will contain a vast amount of wealth. Our county, peopled as it is by small farmers and ranchmen, if it is silent now, and allows this measure to go through without a successful protest, will be hemmed in so that it will never be able in the future to secure any of the territory which is being parceled out among its neighbors with such a lavish hand. We hereby petition your honorable body to attach to our county as much of the territory west of us as we are justly entitled to.

Signed by

GEORGE SANGER,
And Fourteen Others.

Mr. Speaker appointed as a committee to consider Senate Bill No. 19, and accompanying petitions, Messrs. Burkhardt, Bentley, Hodgson, Thexton and Tufts.

REPORTS OF STANDING COMMITTEES.

The Judiciary Committee made the following report:

MR. SPEAKER:

Your Judiciary Committee, to whom was referred
House Bill No. 99,

A bill for an act to amend sections 2, 5 and 13 of chapter 165 of

the Laws of 1890, entitled "An act to establish government and maintenance of a Soldiers' Home,"

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 188,

A bill for an act to amend section 1429 of the Compiled Laws, relating to fees for witnesses,

And recommend that the same do pass.

Also,

House Bill No. 6,

A bill for an act to amend section 677 of the Code of Civil Procedure, being section 5499 of the Compiled Laws, relating to damages for loss of life,

And recommend that the same be amended by striking out the words "ten thousand dollars (\$10,000)" in the last line of section 1 of the bill, being line 10 of section 1 of the printed bill, and inserting "five thousand dollars (\$5,000)" in lieu thereof.

Also,

Senate Bill No. 56,

A bill for an act to amend section 1 of chapter 88 of the Session Laws of 1883, being section 7599 of the Compiled Laws, relating to reprieves, commutations and pardons,

And recommend that the same be indefinitely postponed.

SETH NEWMAN,
Chairman.

Mr. Oliver moved that the report of the Committee on Senate Bill No. 56 be adopted,

Which motion prevailed.

The Committee on Judiciary made the following report:

MR. SPEAKER:

Your Committee on Judiciary, to whom was referred House Bill No. 192,

A bill for an act to define the crime of fornication and to provide penalties and punishment for the same,

Have had the same under consideration and recommend that the same be indefinitely postponed.

SETH NEWMAN,
Chairman.

Mr. Davis moved

That the report of the Committee on House Bill No. 192 be adopted,

Which motion prevailed.

The Committee on State Affairs made the following report:

MR. SPEAKER:

Your Committee on State Affairs, to whom was referred
Senate Bill No. 64,

A bill for an act providing for the appointment of notaries public
and providing a penalty for violation of the provisions thereof,

Have had the same under consideration and recommend that
the same do pass.

Also,

House Bill No. 153,

A bill for an act to provide for the payment of the salaries of
county officers monthly,

And recommend that the same do pass.

L. A. UELAND,
Chairman.

The Committee on Insurance made the following report:

MR. SPEAKER:

Your Committee on Insurance, to whom was referred
House Bill No. 35,

A bill for an act to amend section 15 of chapter 67 of the
Laws of 1887, being Section 3097 of the Compiled Laws of 1887,
relating to county mutual insurance companies and changing the
time for the annual meeting thereof,

Have had the same under consideration and recommend that
the same be substituted by bill herewith reported.

G. S. CHURCHILL,
Chairman.

Mr. Oliver moved

To suspend the rules and take up House Bill No. 99 for its
third reading,

Which motion prevailed, and

House Bill No. 99,

A bill for an act to amend sections 2, 5 and 13 of chapter 165
of the Laws of 1890, entitled "An act to establish government
and maintenance of a soldiers' home,"

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 44, nays none.

Those who voted in the affirmative were:

Messrs—

Benedict,
Bentley,
Boynon,
Bullard,
Burkhardt,
Churchill,
Cochrane,
Davis,
Deans,

Messrs—

Holliday,
Johnson of G'd Forks,
Larson,
Lee,
Logan,
Lohnes,
McArthur,
McCanna,
McCulloch

Messrs—

Simpson,
Southard,
Strom,
Thexton,
Thompson,
Tufts,
Ueland,
Veeder,
Wallen,

Messrs—	Messrs—	Messrs—
Hagen,	O'Keefe,	Wineman,
Hallum,	Oksendahl,	Wishek,
Halvorson,	Oliver,	Wright,
Haugen,	Plain,	Yegen,
Havrevold,	Satterlund,	Mr. Speaker.
Hodgson,	Severson,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Caldwell,	James,	Newman,
Ebbighausen,	Johnson of Sargent,	Pierce,
Elliott,	Johnston,	Rinde,
Hall,	Kelly,	Ritter,
Horgan,	Levang,	Sanford,
Hurley,	McLean,	Towers.

So the bill passed and the title was agreed to.

Mr. Oliver moved

That the vote by which House Bill No. 99 passed the House be reconsidered,

Which motion prevailed.

Mr. Oliver asked unanimous consent to offer an amendment to House Bill No. 99,

Which consent was granted.

Mr. Oliver moved

To amend House Bill No. 99 by inserting the emergency clause,

Which motion prevailed, and

The bill was so amended.

The roll being called there were ayes 47, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Holliday,	Simpson,
Bentley,	Johnson of Sargent,	Southard,
Boynton,	Johnson of G'd Forks,	Strom,
Bullard,	Larson,	Thexton,
Burkhardt,	Lee,	Thompson,
Caldwell,	Logan,	Towers,
Churchill,	Lohnes,	Tufts,
Cochrane,	McArthur,	Ueland,
Davis,	McCanna,	Veeder,
Deans,	McCulloch,	Wallen,
Hagen,	O'Keefe,	Wineman,
Hallum,	Oksendahl,	Wishek,
Halvorson,	Oliver,	Wright,
Haugen,	Pierce,	Yegen,
Havrevold,	Plain,	Mr. Speaker.
Hodgson,	Severson,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Ebbighausen,	James,	Newman,
Elliott,	Johnston,	Rinde,

Messrs—
Hall,
Horgan,
Hurley,

Messrs—
Kelly,
Levang,
McLean,

Messrs—
Ritter,
Sanford,
Satterlund.

So the bill passed as amended and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
February 15, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith
Senate bill No. 94,

A bill for an act to amend sections 1 and 30 of chapter 132 of the Session Laws of 1890, being an act entitled "An act prescribing the mode of making assessment, and the levy and collection of taxes, and for other purposes relative thereto,

Which the Senate has passed, and the favorable consideration of the House is hereby requested.

Respectfully,
FRED FALLEY,
Secretary.

The Committee on State Affairs made the following report:

MR. SPEAKER:

Your Committee on State Affairs, to whom was referred
House Bill No. 104,

A bill for an act to amend chapter 128 of the Session Laws of 1891, entitled "An act to provide for the collection, arrangement and display of the products of the State of North Dakota at the World's Columbian Exposition of 1893," by adding two lady commissioners to the board therein provided for, so as to better aid educational display and woman's department at the coming Columbian Exposition,

Have had the same under consideration and recommend that the same do pass.

Also,
House Bill No. 144,

A bill for an act to amend subdivision 16 of sections 1 and 2 and subdivision 15 of sections 3 and 4 of chapter 86, Laws of 1890,

Have had the same under consideration and recommend that the same be amended as follows:

By striking out the words "appointed and" in line four, section 1, and by striking out the words "appointed and" in line four, section 3, of printed bill; strike out the word "thirty" in line nine of section 2 of printed bill and

insert "twenty;" strike out the word "thirty" in line six, section 4, and insert in lieu thereof the word "twenty."

And when so amended recommend that the same do pass.

L. A. UELAND,
Chairman.

Also the following minority report:

The Committee on State Affairs made the following report:

MR. SPEAKER:

A minority of the Committee on State Affairs, to whom was referred

House Bill No. 144, agree with the majority report except that such minority believe that the word "thirty" should not be changed to the word "twenty."

L. A. UELAND,
Minority.

Mr. Ueland moved
To adopt the minority report.

Mr. Oliver moved
As a substitute that the bill be referred to general orders,
Which motion prevailed.

The Committee on State Affairs made the following report:

MR. SPEAKER:

Your Committee on State Affairs, to whom was referred
House Bill No. 163,

A bill for an act prescribing the duty of county commissioners in relation to landmarks and fixing a penalty for removing or defacing the same,

Have had the same under consideration and recommend that the same be amended as follows:

Insert after the word "top" in line 9 of section 1 of printed bill the following: "Or lead pipe at least three feet long and three inches in diameter, with a solid cap on top on which letter shall be stamped,"

And when so amended recommend that the same do pass.

L. A. UELAND,
Chairman.

Mr. Speaker called Mr. Pierce to the chair.

INTRODUCTION OF BILLS, JOINT RESOLUTIONS AND MEMORIALS.

Substitute for House Bills Nos. 35 and 63,

A bill for an act amending sections 15 and 16, chapter 67 of the Laws of 1887, being sections 3097 and 3098 of the Compiled Laws, relating to county mutual insurance companies and changing the time for the annual meeting thereof,

Was read the first and second time.

Mr. Newman introduced—
House Bill No. 205,

A bill for an act to amend section 510 of the Code of Civil Procedure,

Was read the first time.

Mr. Havrevold introduced—

House Bill No. 206,

A bill for an act relating to the practice in courts of justice of the peace,

Which was read the first time.

Mr. Churchill introduced—

House Bill No. 207,

A bill for an act to provide for the right of erection of grain warehouses and elevators on the right-of-way of railroad corporations and contiguous thereto,

Which was read the first time.

Mr. Veeder offered a concurrent resolution repealing prohibition clause of Constitution and moved that it be printed.

Mr. McCanna moved

That the concurrent resolution be referred to the Judiciary Committee,

Which motion prevailed.

Mr. Hallum introduced—

House Bill No. 209,

A bill for an act to repeal a special act of the Laws of 1885 entitled "An act establishing independent school districts of Walcott, Richland county, Dakota Territory,"

Which was read the first time.

Mr. Wineman offered the following concurrent resolution:

CONCURRENT RESOLUTION.

WHEREAS, Every citizen of the State is interested in having good roads and highways in this State and throughout the United States; and,

WHEREAS, Good roads will have a great tendency towards increasing the prosperity of every community; therefore, be it

Resolved by the House of Representatives of the State of North Dakota, the Senate concurring, That our Representatives in Congress are hereby requested to use all honorable means to secure the passage of the "Good Roads Bill" now before Congress.

Mr. Wineman moved

That the Concurrent Resolution be adopted,

Which motion prevailed, and

The Concurrent Resolution was adopted.

SECOND READING OF HOUSE BILLS.

House Bill No. 200,

A bill for an act to re-enact section 779 and subdivision 5 of section 2594 of the Civil Code,

Was read the second time and referred to the Committee on State Affairs.

House Bill No. 201,

A bill for an act providing for a State bounty for the destruction of wolves,

Was read the second time and referred to the Committee on State Affairs.

House Bill No. 202,

An act to authorize and regulate within this State the business of commercial credit companies and guarantee associations,

Was read the second time and referred to the Judiciary Committee.

House Bill No. 203,

A bill for an act to provide for the ascertaining and giving notice of the lands of the heirs of deceased persons,

Was read the second time and referred to the Judiciary Committee.

House Bill No. 204,

A bill for an act to amend chapter 71 of the Laws of 1891, relative to wolf bounty,

Was read the second time and referred to the Committee on State Affairs.

Mr. Oliver by unanimous consent made the following report:

REPORTS OF SPECIAL COMMITTEES.

MR. SPEAKER:

Your committee appointed to consider House Bill No. 4 have had the same under consideration and report as follows:

That the bill be amended as follows:

In section 2, line two, after the word "national," strike out the word "bank" and after the word "or" insert the word "State." In section 2, line four, after the word "auditors" insert the words "in conjunction with the Governor." In section 2, line eleven, after the word "bank," add the following: "And that said bank or banks shall pay the State at least 3 per cent. interest." In section 3, line one, after the word "national," insert the words "or state." In section 3, line three, strike out the word "nine" and insert the word "seven." In section 3, line six, after the word "than" insert the word "double." In section 4, line two, after the word "or," insert the word "State" and strike out the word "bank" after the word "national,"

And with these amendments recommend that the bill do pass.

H. S. OLIVER,
Chairman.

MR. SPEAKER:

Your committee appointed to consider House Bill No. 7 have had the same under consideration and offer the following report:

That the bill be amended as follows:

Strike out all of the bill after the enacting clause and in lieu thereof insert the following:

A BILL.

SECTION 1. All funds of each and every county of this State shall be deposited by the county treasurer thereof as soon as received by him, in the name of the county of which he is an officer, in such bank or banks as shall have been designated as county depositories, in accordance with this act, as hereinafter provided.

SEC. 2. It shall be the duty of the board of county commissioners of each and every county in this State, at its first regular meeting, in January, 1894, and at its first regular meeting in January of each second year thereafter, to designate one or more national or State banks in their respective counties as county depositories, in which all the funds of said county shall be deposited.

SEC. 3. The county auditor of each county shall advertise in one or more newspapers published in the county, for at least two weeks immediately prior to said above mentioned meetings, for sealed proposals for the deposit of the funds of said county, in accordance with this act. Said advertisement shall state the date until which proposals will be received, which date shall be the first day of the meeting at which the proposals are to be opened. Said proposals shall state in writing what rate of interest will be paid on daily balances on deposit, interest to be paid monthly, on condition that said funds, with accrued interest, shall be held subject to draft at all times on demand. Said proposals shall be inclosed in sealed envelopes, addressed to the county auditor and marked "Proposals for Deposit of County Funds," and shall be by the county auditor filed in his office.

SEC. 4. At the above mentioned meeting of said board of county commissioners said proposals shall be presented by the county auditor, and then, and not until then, opened by him in the presence of said board, which shall proceed to consider them, accepting the proposal of the bank or banks offering the highest rate of interest not inconsistent with this act, subject to the filing of a satisfactory bond, as hereinafter provided, the amount of which bond shall then and there be fixed by said board. Before any bank shall be designated as such depository it shall submit to the board of county commissioners for their approval a bond payable to such county, conditioned on the safe keeping and repayment of any county funds deposited in said bank, which bond shall be signed by not less than five freeholders of the county in which said funds are deposited, as sureties, and shall be in such sum as the board shall have directed, but in no case to be less than double the probable amount of funds to be deposited in such bank. If at any time the amount of funds on deposit in any of said depositories shall exceed one-half the amount named in said bond, it shall be the duty of said board, at its next, regular meeting thereafter, to require from said depository an additional bond in a sum not less than twice the amount of said excess. Said bond or bonds shall be approved by said board and said approval be indorsed thereon in writing by the chairman of said board, and by him deposited with the auditor of said county, and any bank whose bond shall have been approved shall be thereupon designated by said board as a county depository and shall continue as such depository until such time as said board shall readvertise and redesignate in pursuance with this act. *Provided*, That if the board of county commissioners fail or refuse to approve any such bond, the same proceedings may be had as provided in section 8, chapter 5, Political Code.

SEC. 5. When two or more banks in the same county proposing to become depositories offer the same rate of interest, it shall be the duty of the board of county commissioners to select impartially as many of said banks as depositories as offer ample security for such deposits, requiring from each of said banks bonds of equal amount. In estimating the value of the security offered by any proposed depository, the capital, surplus and general credit of the bank offering the same shall be taken into consideration, as well as the bond proposed to be given.

SEC. 6. In cases where two or more banks are designated as depositories, the county treasurer shall, as far as practicable, keep in each of the several

depositories equal balances at all times. *Provided*, That in counties where two or more banks are designated as depositories the amount deposited in any bank shall not exceed the assessed capital of said bank.

SEC. 7. To further secure the safety of the county funds deposited under the provisions of this act, it is hereby made the duty of the board of county commissioners of any depository county to satisfy themselves of the responsibility of the several banks proposing to act as depositories, and no bank offering more than four per cent per annum on daily balances subject to check shall be designated a depository under the provisions of this act.

SEC. 8. Each depository designated under the provisions of this act shall furnish to the county auditor an itemized statement of the county's account with such depository on the first day of each month, duly verified by said bank, which statement shall be filed and carefully preserved in the office of said auditor. All sums of interest accruing on the funds deposited in any depository under the provisions of this act shall be credited to such deposit account on the first day of each month for the month previous thereto, and a statement of such interest shall be rendered by such depository to the county auditor on the first day of each month, and the auditor shall charge the treasurer with the amount thereof and credit the same to the general fund of the county.

SEC. 9. No county treasurer shall deposit any of the funds of the county excepting in accordance with the provisions of this act, under a penalty of \$500 for each deposit not in accordance herewith.

SEC. 10. All checks drawn upon the county depositories shall be signed by the county treasurer in the name of the county by himself as treasurer.

SEC. 11. It is hereby made the duty of the officers mentioned in this act, and also of the board of county commissioners of the several counties of the State, to comply with all the provisions of this act. *Provided*, That in counties where only one bank is located the board of county commissioners shall designate such bank a depository without advertising for bids, if such bank agrees to pay interest at the rate of at least three per cent per annum and fulfills all the requirements of sections 4, 7 and 8 of this act. In counties where there is no bank located, or where no bank offers to comply with the requirements of this act, the board of county commissioners may, if in their judgment it is to the best interests of the county, designate some bank or banks outside of such county as depositories, but such bank or banks must furnish bonds according to the provisions of this act.

SEC. 12. Whenever any portion of the funds of any county shall be deposited by any county treasurer in the manner as provided in this act, such treasurer and his sureties shall be exempt from all liability thereon by reason of loss of any such deposited funds from the failure, bankruptcy or any other acts of any such bank or banks to the extent and amount only of such funds in the hands of such bank or banks at the time of such failure or bankruptcy.

SEC. 13. Any officer violating any of the provisions of this act shall be deemed guilty of malfeasance in office.

SEC. 14. All acts or parts of acts in conflict herewith are hereby repealed.

And when so amended recommend that the bill do pass.

H. S. OLIVER,
Chairman.

Mr. Ueland moved

That the report of the committee be adopted,

Which motion prevailed.

Mr. Hallum introduced—

House Bill No. 208,

A bill for an act to repeal a special act of the Laws of 1885 en-

titled "An act establishing independent school district of Walcott, Richland county, Dakota Territory,"

Which was read the first time.

Mr. Davis moved

That the rules be suspended and that House Bill No. 208 be read the second time and referred to its appropriate committee,

Which motion prevailed, and

House Bill No. 208 was read the second time and referred to the Committee on Education.

Mr. Newman moved

That Senate Bill No. 80 be recalled from the Senate and re-committed to the Judiciary Committee,

Which motion prevailed.

THIRD READING OF HOUSE BILLS.

Substitute for House Bill No. 30,

A bill for an act to fix the terms of the district court in the Third Judicial District,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 38, nays 7.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hodgson,	Satterlund,
Bullard,	James,	Severson,
Churchill,	Johnson of Sargent,	Southard,
Cochrane,	Johnson of G'd Forks,	Strom,
Davis,	Larson,	Thexton,
Deans,	Lee,	Thompson,
Ebbighausen,	Levang,	Towers,
Hagen,	McCulloch,	Tufts,
Hall,	McLean,	Ueland,
Hallum,	Newman,	Wallen,
Halvorson,	O'Keefe,	Wishek,
Haugen,	Oksendahl,	Yegen.
Havrevold,	Pierce,	

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Burkhardt,	McArthur,	Veeder,
Horgan,	Sanford,	Wright.
Hurley,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Kelly,	Rinde,
Boynton,	Logan,	Ritter,
Caldwell,	Lohnes,	Simpson,
Elliott,	McCanna,	Wineman,
Holliday,	Oliver,	Mr. Speaker.
Johnston,	Plain,	



So the bill passed and the title was agreed to, but the emergency clause was lost.

Mr. Hurley moved

That the bill be referred to the Judiciary Committee,
Which motion was lost.

Mr. Strom moved

That the vote by which substitution for House Bill No. 30 was passed be reconsidered and the motion to reconsider be laid on the table,

Which motion to reconsider and lay on the table prevailed.

The courtesies of the floor were extended to Judge McKenzie and Charles Brown of Walsh county.

Substitute for House Bill No. 14,

A bill for an act amending sections 5048 and 5049, Compiled Laws of 1887, relating to trials,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 56, nays 1.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Horgan,	Sanford,
Bentley,	Hurley,	Satterlund,
Boynton,	James,	Severson,
Bullard,	Johnson of Sargent,	Simpson,
Burkhardt,	Johnson of G'd Forks,	Southard,
Caldwell,	Kelly,	Strom,
Churchill,	Larson,	Thexton,
Cochrane,	Lohnes,	Thompson,
Davis,	McArthur,	Towers,
Deans,	McCanna,	Tufts,
Ebbighausen,	McCulloch,	Ueland,
Hagen,	McLean,	Veeder,
Hall,	Newman,	Wallen,
Hallum,	O'Keefe,	Wineman,
Halvorson,	Oksendahl,	Wishek,
Haugen,	Oliver,	Wright,
Havrevold,	Pierce,	Yegen,
Hodgson,	Plain,	Mr. Speaker.
Holliday,	Ritter,	

Mr. Lee voting in the negative.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Elliott,	Levang,	Rinde.
Johnston,	Logan,	

So the bill passed and the title was agreed to.

Substitute for House Bill No. 43,

A bill for an act to appropriate money to reimburse the Soldiers' Home Board for expenses incurred, including clerk hire,

Was read the third time and placed upon its final passage.

The question being upon the passage of the bill as amended.

Mr. Oliver asked unanimous consent to insert the emergency clause in substitute for House Bill No. 43,

Which consent was granted and the bill was so amended.

The roll being called there were ayes 47, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	James,	Satterlund,
Boynton,	Johnson of Sargent,	Severson,
Bullard,	Johnson of G'd Forks,	Simpson,
Burkhardt,	Kelly,	Southard,
Caldwell,	Larson,	Strom,
Churchill,	Levang,	Thexton,
Cochrane,	McArthur,	Tufts,
Davis,	McCanna,	Ueland,
Deans,	McLean,	Veeder,
Ebbighausen,	Newman,	Wallen,
Hagen,	O'Keefe,	Wineman,
Hall,	Oksendahl,	Wishek,
Halvorson,	Oliver,	Wright,
Haugen,	Pierce,	Yegen,
Havrevold,	Ritter,	Mr. Speaker.
Horgan,	Sanford,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Hurley,	McCulloch,
Elliott,	Johnston,	Plain,
Hallum,	Lee,	Rinde,
Hodgson,	Levang,	Thompson.
Holliday,	Lohnes,	Towers.

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, February 15, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith

A Memorial and Concurrent Resolution to Congress regarding the Western Union Telegraph Company,

Also,

A Memorial and Concurrent Resolution to Congress regarding the placing of binding twine and the fibers of which it is manufactured on the free list,

Which the Senate has passed and your concurrence therein is respectfully requested.

Respectfully,
FRED FALLEY,
Secretary.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, February 15, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith
Senate Bill No. 98,

A bill for an act to amend chapter 5 of the Civil Code, by repealing section 681 thereof.

Also,

Senate Bill No. 112,

A bill for an act to amend section 2012 of the Civil Code, being section 4645 of the Compiled Laws of 1887.

Also,

Senate Bill No. 11,

A bill for an act authorizing county commissioners to establish in suitable localities public scales and regulating the appointment and duties of public weighmasters.

Also,

Senate Bill No. 88,

A bill for an act to provide protection from fire within the Capitol Building.

Which the Senate has passed and your favorable consideration thereof is respectfully requested.

Respectfully,

FRED FALLEY,
Secretary.

Mr. McLean moved

That the House do now take a recess for 15 minutes,

Which motion prevailed.

House reassembled.

Mr. Speaker appointed Messrs. Havrevold, Ueland and Levang a committee to notify the Senate that the House was in readiness to receive the Senate in Joint Session to ballot for a United States Senator.

The Sergeant-at-Arms announced the Lieutenant Governor, members of the Senate and officers thereof, with the House Committee escorting, in waiting.

JOINT SESSION.

The Joint Session was called to order by the Lieutenant Governor, the President of the Senate.

The rolls of the respective Houses were called.

All members present except Messrs. Rinde and Johnston of the House.

The Journal of the Joint Session of the 43d legislative day was read.

Mr. Ueland moved

That the reading of the names be dispensed with,
Which motion prevailed.

There being no objections, the Journal of the Joint Session of the 43d Legislative day was approved.

Mr. Cashel moved

That the Joint Assembly do now proceed to take the forty-eighth ballot for a United States Senator,

Which motion prevailed, and

The Joint Session proceeded to take the forty-eighth ballot for a United States Senator.

FORTY-EIGHTH BALLOT.

The roll being called there were 90 votes cast, of which Mr. H. F. Miller received 31, Mr. J. Miller 8, Mr. Muir 1, Mr. Roach 4, Mr. Walsh 15, Mr. Palmer 2, Mr. Appleton 6, Mr. Lamb 14, Mr. Smith 2, Mr. Casey 1, Mr. Fuller 1, Mr. Worst 1, Judge Bartholomew 3, Mr. Hall 1.

Those who voted for Mr. Roach were:

Messrs. Kinter, Patch, Deans, Hallum—4.

Those who voted for Mr. H. F. Miller were:

Messrs. Arnold, Day, Gregory, Haggart, Ink, Little, LaMoure, McGillivray, Miller, Svensrud, Worst, White, Young, Benedict, Bentley, Boynton, Bullard, Burkhardt, Churchill, Cochrane, Davis, Havrevold, Larson, Lohnes, Newman, Oksendahl, Oliver, Ritter, Satterlund, Tufts, Mr. Speaker—31.

Those who voted for Mr. John Miller were:

Messrs. Cashel, Enger, Fuller, Johnson, Pinkham, Southard, Strom, Wallen—8.

Those who voted for Mr. Palmer were:

Messrs. Burke, Engle—2.

Those who voted for Mr. Walsh were:

Messrs. Bidlake, Lamb, McCormack, Sorley, Ebbighausen, Haugen, Johnson of Grand Forks, Kelly, Logan, McCanna, McLean, O'Keefe, Pierce, Towers, Wineman—15.

Those who voted for Mr. Appleton were:

Messrs. Brynjolfson, Holliday, Horgan, James, Plain, Thexton—6.

Those who voted for Mr. Lamb were:

Messrs. Hillier, McCarten, Palmer, Caldwell, Elliott, Hagen, Halvorson, Hodgson, Johnson of Sargent, Lee, Levang, McCulloch, Thompson, Ueland—14.

Those who voted for Judge Bartholomew were:

Messrs. Veeder, Wishek, Yegen—3

Mr. Stevens voted for Mr. Muir.

Mr. Hall voted for Mr. Casey.

Mr. Sanford voted for Mr. Fuller.

Mr. Simpson voted for Mr. Worst.

Mr. Wright voted for Mr. Hall.

Absent and not voting:

Messrs. Hurley, Johnston and Rinde.

Messrs. Hurley and Johnston being paired.

Mr. Little moved

That the Joint Session do now proceed to take the 49th ballot for a United States Senator,

Which motion prevailed, and

The Joint Session proceeded to take the 49th ballot for a United States Senator.

FORTY-NINTH BALLOT.

The roll being called, there were 90 votes cast, of which Mr. H. F. Miller received 34, Mr. J. Miller 7, Mr. Roach 12, Mr. Walsh 10, Mr. Palmer 1, Mr. Lamb 13, Mr. Smith 3, Judge Wallen 3, Judge Bartholomew 3, Mr. Hall 3, Mrs. Eisenhuth 1.

Those who voted for Mr. Roach were:

Messrs. Bidlake, Brynjolfson, Burke, Kinter, Patch, Deans, Hall, Hallum, Johnson of Grand Forks, Kelly, Sanford, Thexton—12.

Those who voted for Mr. Smith were:

Messrs. McArthur, Severson, Wallen—3.

Those who voted for Mr. H. F. Miller were:

Messrs. Arnold, Day, Gregory, Haggart, Ink, Little, LaMoure, McGillivray, Miller, Sorley, Svensrud, Worst, White, Young, Benedict, Bentley, Boynton, Bullard, Burkhardt, Churchill, Cochran, Davis, Havrevold, Larson, Lohnes, Newman, Oksendahl, Oliver, Ritter, Satterlund, Simpson, Tufts, Wineman, Mr. Speaker—34.

Those who voted for Mr. J. Miller were:

Messrs. Cashel, Enger, Fuller, Johnson, Palmer, Elliott, Strom—7.

Those who voted for Mr. Lamb were:

Messrs. Hillier, McCarten, Caldwell, Hagen, Hodgson, Johnson of Sargent, Lee, Levang, Logan, McCulloch, Thompson, Towers, Ueland—13.

Those who voted for Mr. Walsh were:

Messrs. McCormack, Halvorson, Haugen, Holliday, Horgan, James, McCanna, McLean, O'Keefe, Plain—10.

Those who voted for Mr. Hall were:

Messrs. Engle, Ebbighausen, Wright—3.

Those who voted for Judge Wallen were:

Messrs. Pinkham, Pierce, Southard—3.

Those who voted for Judge Bartholomew were:

Messrs. Veeder, Wishek, Yegen—3.

Mr. Stevens voted for Mrs. Eisenhuth.

Mr. Lamb voted for Mr. Palmer.

Absent and not voting:

Messrs. Hurley, Johnston and Rinde.

Messrs. Hurley and Johnston being paired.

Mr. Little moved

That the Joint Session do now proceed to take the fiftieth ballot for a United States Senator,

Which motion prevailed.

FIFTIETH BALLOT.

The roll being called, there were ninety votes cast, of which Mr. H. F. Miller received 33, Mr. J. Miller 11, Judge Bartholomew 3, Mr. Roach 6, Mr. Muir 1, Mr. Lamb 2, Mr. Walsh 25, Mr. Wallen 6, Mr. Smith 1, Mr. Ueland 2.

Those who voted for Mr. Roach were:

Messrs. Kinter, Patch, Deans, Hallum, Sanford, Thexton—6.

Those who voted for Mr. H. F. Miller were:

Messrs. Arnold, Day, Gregory, Haggart, Ink, Little, LaMoure, McGillivray, Miller, Sorley, Svensrud, Worst, White, Young, Benedict, Bentley, Boynton, Bullard, Burkhardt, Churchill, Cochrane, Davis, Havrevold, Larson, Lohnes, Newman, Oksendahl, Oliver, Ritter, Satterlund, Simpson, Tufts, Mr. Speaker—33.

Those who voted for Mr. J. Miller were:

Messrs. Cashel, Enger, Fuller, Hillier, Johnson, Elliott, Hagen, Strom, Thompson, Wallen, Wright—11.

Those who voted for Mr. Walsh were:

Messrs. Bidlake, Burke, Engle, Lamb, McCarten, McCormack, Palmer, Caldwell, Ebbighausen, Hall, Halvorson, Haugen, Hodgson, Horgan, James, Johnson of Grand Forks, Kelly, Lee, Levang, Logan, McCanna, McLean, O'Keefe, Towers, Wineman—25.

Those who voted for Judge Wallen were:

Messrs. Brynjolfson, Pinkham, Holliday, Pierce, Severson, Southard—6.

Those who voted for Mr. Lamb were:
Messrs. Johnson of Sargent, Ueland—2.

Those who voted for Mr. Ueland were:
Messrs. McCulloch, Plain—2.

Those who voted for Judge Bartholomew were:
Messrs. Veeder, Wishek, Yegen—3.

Mr. Stevens voted for Mr. Muir.

Mr. McArthur voted for Mr. Smith.

Absent and not voting:

Messrs. Hurley, Johnston and Rinde. .

Messrs. Hurley and Johnston being paired.

Mr. Cashel moved

That the Joint Assembly do now dissolve,

Which motion prevailed, and

The Joint Assembly dissolved.

J. G. HAMILTON,
Clerk of the Joint Session.

House reassembled.

Mr. Ueland asked unanimous consent to make a report,
Which was granted.

Mr. Simpson moved

That the House do now take a recess,

Which motion was lost.

The Committee on State Affairs made the following report:

MR. SPEAKER:

Your Committee on State Affairs, to whom was referred
House Bill No. 127,

A bill for an act to establish an experimental station for purposes of irrigation,

Have had the same under consideration and recommend that the same be amended as follows:

Strike out all of line 9 of section 1 of printed bill and insert in lieu thereof the following: "The experimental station at Fargo."

And when so amended recommend that the same do pass.

L. A. UELAND,
Chairman.

Mr. Ueland moved

That the report be adopted.

Mr. Southard moved

As an amendment that the bill be recommitted to Committee on Appropriations.

Roll call demanded.

The roll being called there were ayes 26, nays 29.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Horgan,	Ritter,
Bullard,	Hurley,	Severson,
Churchill,	James,	Southard,
Deans,	Kelly,	Tufts,
Ebbighausen,	Larson,	Wallen,
Hallum,	Lee,	Wishek,
Halvorson,	Newman,	Wright,
Haugen,	O'Keefe,	Yegen.
Holliday,	Pierce,	

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Bentley,	Johnson of G'd Forks,	Sanford,
Boynton,	Logan,	Satterlund,
Burkhardt,	Lohnes,	Strom,
Caldwell,	McArthur,	Thexton,
Cochrane,	McCanna,	Towers,
Davis,	McCulloch,	Ueland,
Hagen,	McLean,	Veeder,
Havrevold,	Oksendahl,	Wineman,
Hodgson,	Oliver,	Mr. Speaker.
Johnson of Sargent,	Plain,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Elliott,	Levang,	Simpson,
Hall,	Rinde,	Thompson.
Johnston,		

So the motion was lost.

The question recurring on the motion of Mr. Ueland,

The motion prevailed, and

The report of the committee was adopted.

The Committee on Engrossed Bills made the following report:

MR. SPEAKER:

Your Committee on Engrossed Bills have examined
House Bill No. 121,

A bill for an act to provide for the formation of school districts
comprising less than a civil or congressional township,

And find the same correctly engrossed.

J. DEXTER PIERCE,
Chairman.

THIRD READING OF HOUSE BILLS.

House Bill No. 121,

A bill for an act to provide for the formation of school districts
comprising less than a civil or congressional township,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 57, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	James,	Sanford,
Bentley,	Johnson of Sargent,	Satterlund,
Boynton,	Johnson of G'd Forks,	Severson,
Bullard,	Kelly,	Simpson,
Burkhardt,	Larson,	Southard,
Caldwell,	Lee,	Strom,
Churchill,	Levang,	Thexton,
Davis,	Logan,	Thompson,
Deans,	Lohnes,	Towers,
Ebbighausen,	McArthur,	Tufts,
Hagen,	McCanna,	Ueland,
Hall,	McCulloch,	Veeder,
Hallum,	Newman,	Wallen,
Halvorson,	O'Keefe,	Wineman,
Haugen,	Oksendahl,	Wishek,
Havrevold,	Oliver,	Wright,
Holliday,	Pierce,	Yegen,
Horgan,	Plain,	Mr. Speaker.
Hurley,	Ritter,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Cochrane,	Hodgson,	McLean,
Elliott,	Johnston,	Rinde.

So the bill passed and the title was agreed to.

The Committee on Engrossed Bills made the following report:

MR. SPEAKER:

Your Committee on Engrossed Bills have examined
House Bill No. 109,

A bill for an act to define the boundaries of the counties of
North Dakota.

Also,

House Bill No. 119,

A bill for an act to amend section 1 of chapter 42 of the Ses-
sion Laws of 1889, being an act authorizing and empowering
organized counties of North Dakota to erect county buildings for
court house and jail purposes, and to issue and dispose of bonds
to provide funds to pay therefor, and to provide for the payment
of the principal and interest of such bonds,

And find the same correctly engrossed.

J. DEXTER PIERCE,
Chairman.

House Bill No. 119,

A bill for an act to amend section 1 of chapter 42 of the Ses-
sion Laws of 1889, being an act authorizing and empowering or-
ganized counties of Dakota to erect county buildings for court
house and jail purposes and to issue and dispose of bonds to pro-
vide funds to pay therefor and to provide for the payment of
principal and interest of such bonds,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 52, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Johnson of Sargent,	Satterlund,
Bentley,	Johnson of G'd Forks,	Severson,
Boynton,	Larson,	Simpson,
Bullard,	Levang,	Southard,
Burkhardt,	Logan,	Strom,
Caldwell,	Lohnes,	Thexton,
Davis,	McCanna,	Thompson,
Deans,	McCulloch,	Towers,
Hagen,	McLean,	Tufts,
Hall,	Newman,	Ueland.
Halvorson,	O'Keefe,	Veeder,
Haugen,	Oksendahl,	Wallen,
Havrevold,	Oliver,	Wineman,
Hodgson,	Pierce,	Wishek,
Holliday,	Plain,	Wright,
Horgan,	Ritter,	Yegen,
Hurley,	Sanford,	Mr. Speaker.
James,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Churchill,	Hallum,	Lee,
Cochrane,	Johnston,	McArthur,
Ebbighausen,	Kelly,	Rinde.
Elliott,		

So the bill passed and the title was agreed to.

The courtesies of the floor were extended to A. E. Gardner, A. E. Frank, George Auld and C. F. Merry.

House Bill No. 180,

A bill for an act to repeal chapter 27 of the Laws of 1890, entitled "An act to establish a board of inspectors for steam vessels and steam boilers and to provide for licensing engineers of steam engines,"

Was read the third time.

Mr. Ueland moved

That the rules be suspended and that the bill be recommitted to a joint committee of 5 from the House and 3 from the Senate, Which motion was lost.

The question being upon the final passage of the bill.

The roll being called there were ayes 52, nays 3.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	James,	Sanford,
Bentley,	Johnson of Sargent,	Satterlund,
Boynton,	Johnson of G'd Forks,	Severson,

Messrs—	Messrs—	Messrs—
Bullard,	Kelly,	Simpson,
Burkhardt,	Larson,	Southard,
Caldwell,	Lee,	Thexton,
Davis,	Lohnes,	Thompson,
Deans,	McArthur,	Towers,
Ebbighausen,	McCanna,	Tufts,
Hagen,	McCulloch,	Ueland,
Hall,	McLean,	Veeder,
Hallum,	Newman,	Wallen,
Halvorson,	Oksendahl,	Wineman,
Havrevold,	Oliver,	Wishek,
Hodgson,	Pierce,	Wright,
Holliday,	Plain,	Yegen,
Horgan,	Ritter,	Mr. Speaker.
Hurley,		

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Haugen,	O'Keefe,	Strom.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Churchill,	Johnston,	Logan,
Cochrane,	Levang,	Rinde.
Elliott,		

So the bill passed and the title was agreed to.

The Committee on Engrossed Bills made the following report:

MR. SPEAKER:

Your Committee on Engrossed Bills have examined
House Bill No. 180,

A bill for an act to repeal chapter 27 of the Laws of 1890, entitled "An act to establish a Board of Inspectors for Steam Vessels and Steam Boilers and to provide for licensing engineers of steam engines."

Also,

House Bill No. 62,

A bill for an act providing an appropriation for the manufacture of potato starch in the State of North Dakota,

And find the same correctly engrossed.

J. DEXTER PIERCE,
Chairman.

Mr. Oliver moved

That the vote by which the bill passed be reconsidered and the motion to reconsider be laid on the table,

Which motion prevailed.

House Bill No. 47,

A bill for an act to appoint a Board of Boiler Inspectors and defining their duties with registering of those operating and working on steam boilers,

Was read the third time.

Mr. Oliver moved

That the further consideration of House Bill No. 47 be indefinitely postponed,

Which motion prevailed.

House Bill No. 62,

A bill for an act providing an appropriation for the manufacture of potato starch in the State of North Dakota,

Was read the third time.

Mr. Thompson moved

That the further consideration of House Bill No. 62 be indefinitely postponed.

Mr. Hurley moved

As a substitute to refer this bill and the original law to the Attorney General for his opinion as to its constitutionality.

Mr. Lohnes moved

That the House do now adjourn,

Which motion was lost.

Mr. Logan moved

That House Bill No. 102 be recommitted to the Committee on Education,

Which motion prevailed.

Mr. Wineman moved

That the House do now adjourn,

Which motion prevailed, and

The House adjourned.

J. G. HAMILTON,
Chief Clerk.

FORTY-FIFTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 16, 1893.

The House assembled at 10 o'clock a. m., pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All members present except Messrs. Hagen, Boynton, Johnston and Rinde.

The committee to revise and correct the Journal made the following report:

MR. SPEAKER:

Your committee to revise and correct the Journal have examined the same and recommend the following correction: On page 11 strike out "L. A. Ueland, chairman," and insert "H. S. Oliver, chairman." With this correction recommend the Journal be approved.

D. C. TUFTS,
Chairman.

There being no objections, the report of the committee was adopted and the Journal of the House proceedings of the forty-fourth day was approved as corrected.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Ueland presented the following petition:

To the Honorable Members of the Senate and House of Representatives of the Third Legislative Assembly of North Dakota:

We, the undersigned, residents of the State of North Dakota, pray your honorable body not to take any steps at this session to reopen the question of resubmission of our constitutional prohibition law against the liquor traffic, nor to weaken or repeal the penalty clause in our statutory prohibi-

tion law, as we sincerely believe that the law has not as yet had a fair trial, the time of three years being too limited, while in some localities the authorities have failed to do their duty and enforce it.

Signed by

M. RUFVOLD,

And Fourteen Hundred and Ninety Others.

Mr. Ueland moved

That the petition be referred to the Committee on Temperance,
Which motion prevailed, and
The petition was so referred.

REPORTS OF STANDING COMMITTEES.

The Committee on Charitable Institutions made the following report:

MR. SPEAKER:

Your Committee on Charitable Institutions, to whom was referred

House Bill No. 107,

A bill for an act to amend sections 3, 4, 6 and 7 of chapter 68 of the Laws of 1885, being sections 236, 237, 239 and 240 of the Compiled Laws,

Have had the same under consideration and recommend that the same be amended as follows:

Amend section 3, line 8 of printed bill, by striking out the word "each."

And when so amended recommend that the same do pass.

Also,

House Bill No. 120,

A bill for an act to amend sections 1, 6, 8, 13 and 14 of chapter 161 of the Session Laws of 1890, creating an institute for the education of the deaf and dumb of North Dakota, and providing for its support and management,

And recommend that the same do pass.

Also,

Senate Bill No. 12,

A bill for an act to amend section 2, chapter 133, Session Laws of 1891, entitled "An act to amend section 2, chapter 161, of Session Laws of 1890." entitled "An act to create an institute for the education of the deaf and dumb of North Dakota, and providing for its support and management,"

And recommend that the same do pass.

P. J. HORGAN,
Chairman.

The Committee on Warehouse, Grain Grading and Dealing made the following report:

MR. SPEAKER:

Your Committee on Warehouse, Grain Grading and Dealing, to whom was referred

House Bill No. 111,

A bill for an act providing that non-residents shall give bonds and procure certificates of authority before transacting any grain commission or brokerage business in the State of North Dakota,

Have had the same under consideration and report no recommendations.

H. S. OLIVER,
Chairman.

A minority of the Committee on Warehouse, Grain Grading and Dealing made the following minority report:

MR. SPEAKER:

Your Committee on Warehouse, Grain Grading and dealing, to whom was referred

House Bill No. 111,

A bill for an act providing that non-residents shall give bonds and procure certificates of authority before transacting any grain commission or brokerage business in the State of North Dakota,

Have had the same under consideration and recommend that the same do not pass.

D. C. TUFTS,
HENRY HURLEY,
GEO. CHURCHILL,
THOS. HALVORSON,
H. S. OLIVER,
Minority.

The Joint Committee on the Australian System of Voting made the following report:

MR. SPEAKER:

Your Committee on Australian System of Voting, to whom was referred

House Bill No. 170,

A bill for an act for the registration of the legal voters of this State outside of cities containing more than 3,000 people, to be made from data and other means to be furnished the local assessor,

Have had the same under consideration and return the same without recommendation, as the bill related to other subjects.

H. H. STROM,
Chairman.

The Committee on Counties and County Boundaries made the following report:

MR. SPEAKER:

Your Committee on Counties and County Boundaries, to whom was referred

House Bill No. 24,

A bill for an act to amend section 3, chapter 50, Laws of 1890,

Have had the same under consideration and recommend that the same do pass.

L. A. SIMPSON,
Chairman.

The Committee on Ways and Means made the following report:

MR. SPEAKER:

Your Committee on Ways and Means, to whom was referred House Bill No. 175,

A bill for an act to amend sections 1 and 2 of chapter 1 of the Laws of 1889, entitled "An act to provide security to the public against errors, omissions and defects in abstracts of real estate,"

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 176,

A bill for an act to allow aliens to acquire real estate as security for debts, etc.,

And recommend that the same do pass.

Also,

House Bill No. 194,

A bill for an act defining usury and fixing the penalty for taking the same,

And recommend that the same be reported back without recommendation.

W. F. COCHRANE,
Chairman.

INTRODUCTION OF BILLS, JOINT RESOLUTIONS AND MEMORIALS.

Mr. Caldwell introduced—

House Bill No. 209,

A bill for an act to repeal chapter 36 of the Session Laws of 1890, being an act to encourage the manufacture of potato starch in the State of North Dakota,

Which was read the first time.

Mr. Bentley introduced—

House Bill No. 210,

A bill for an act appertaining to the taxation of telegraph companies,

Which was read the first time.

Mr. Thexton introduced—

House Bill No. 211,

A bill for an act to amend sections 7 and 8 of chapter 91, Laws of 1890, relating to marriage and marriage licenses,

Which was read the first time.

Mr. Towers introduced—

House Bill No. 212,

A bill for an act to amend section 2 of chapter 107 of the Session Laws of 1890, entitled "An act to provide for the inspection of illuminating oils manufactured from petroleum or coal oils, for the purpose of raising the tests of oils,

Which was read the first time.

Mr. Southard introduced—

House Bill No. 213,

A bill for an act to provide for ascertaining and collecting the just amount to be paid for taxes on property in case of invalidity of tax proceedings,

Which was read the first time.

Mr. Newman introduced—

House Bill No. 214,

A bill for an act to provide for the trial of cases tried by the district court without a jury and for the hearing of such actions on appeal,

Which was read the first time.

COMMUNICATION FROM THE ATTORNEY GENERAL.

The following communication was received from the Attorney General:

To the House of Representatives of the State of North Dakota:

It is my opinion that bounty bills such as are specified in chapter 36 of the Laws of 1890 are within the power of our Legislature to make and that this bill created contract right between the State and those who shall avail themselves of its provisions prior to its repeal. It differs from legislation to promote a private enterprise aiding a definite foundry or grist mill. It goes to all in a certain class to promote what the Legislature believes a public good.

By repealing this law now and putting an emergency clause in the repealing act the Legislature can shut off all chance to start new claims for bounty as to all persons who have not started in the business.

Wolf bounties, tree claim bounties and taxation to aid railroads have been upheld in the various states for many years, while taxation to aid a given grist mill or foundry has quite as generally been held void. This comes within the public class that has been held valid.

W. H. STANDISH,
Attorney General of North Dakota.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, February 16, 1893. }

MR. SPEAKER:

I have the honor to inform the House that the Senate has granted the request of the House to return Senate Bill No. 80, which I herewith transmit.

Respectfully,
FRED FALLEY,
Secretary.

Mr. Haugen moved

That the rules be suspended and that the vote by which Senate Bill No. 56 was indefinitely postponed be reconsidered,
Which motion prevailed.

Mr. Haugen moved

That Senate Bill No. 56 be referred to the Judiciary Committee,
Which motion prevailed.

SECOND READING OF HOUSE BILLS.

House Bill No. 205,

A bill for an act to amend section 510 of the Code of Civil Procedure,

Was read the second time and referred to the Judiciary Committee.

House Bill No. 207,

A bill for an act to provide for the right of erection of grain warehouses and elevators on the right-of-way of railroad corporations and contiguous thereto,

Was read the second time and referred to the Committee on Railroads.

THIRD READING OF HOUSE BILLS.

Substitute for House Bills Nos. 35 and 63,

A bill for an act amending sections 15 and 16, chapter 67 of the Laws of 1887, being sections 3097 and 3098 of the Compiled Laws, relating to county mutual insurance companies and changing the time for the annual meeting thereof,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 45, nays none.

Those who voted in the affirmative were:

Messrs—

Benedict,
Bentley,
Bullard,
Burkhardt,
Caldwell,
Churchill,
Davis,
Deans,
Hallum,
Halvorson,
Haugen,
Havrevold,
Hodgson,
Hurley,
Johnson of Sargent,

Messrs—

Kelly,
Larson,
Lee,
Levang,
Logan,
Lohnes,
McArthur,
McCanna,
McLean,
Newman,
O'Keefe,
Oliver,
Pierce,
Ritter,
Sanford,

Messrs—

Satterlund,
Severson,
Simpson,
Southard,
Strom,
Thexton,
Thompson,
Towers,
Tufts,
Ueland,
Veeder,
Wallen,
Wineman,
Yegen,
Mr. Speaker.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Holliday,	Oksendahl,
Cochrane,	Horgan,	Plain,
Ebbighausen,	James,	Rinde,
Elliott,	Johnson of G'd Forks,	Wishek,
Hagen,	Johnston,	Wright.
Hall,	McCulloch,	

So the bill passed and the title was agreed to.

Mr. Strom moved

That the vote by which substitute for House Bills 35 and 63 passed be reconsidered and the motion to reconsider be laid on the table,

Which motion prevailed.

- Mr. Speaker called Mr. Wineman to the chair.

The Committee on Engrossed Bills made the following report:

Your Committee on Engrossed Bills have examined
House Bill No. 95,

A bill for an act to encourage the live stock industry; to provide for the purchase or importation of thoroughbred stock for breeding purposes; to protect breeders and importers from unjust and exorbitant charges, and appointing a commission for the purpose of carrying the provisions of this act into effect, and appropriating funds for the furtherance thereof,

And find the same correctly engrossed.

J. DEXTER PIERCE,
Chairman.

Mr. Oliver moved

That House Bill No. 95 be indefinitely postponed,
Which motion prevailed.

House Bill No. 133,

A bill for an act to amend and re-enact sections 2, 6 and 7 of article 9 of chapter 73 of the Laws of 1887, being sections 917, 921 and 922 of the Compiled Laws,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 46, nays none.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Larson,	Severson,
Bentley,	Lee,	Simpson,
Bullard,	Levang,	Southard,
Burkhardt,	Logan,	Strom,
Caldwell,	Lohnes,	Thexton,
Churchill,	McCanna,	Thompson,
Davis,	McLean,	Towers,
Deans,	Newman,	Tufts,
Hallum,	O'Keefe,	Ueland,
Halvorson,	Oliver,	Veeder,

Messrs—	Messrs—	Messrs—
Haugen,	Pierce,	Wallen,
Havrevold,	Plain,	Wineman,
Hodgson,	Ritter,	Wishek,
Holliday,	Sanford,	Yegen,
Hurley,	Satterlund,	Mr. Speaker.
Kelly,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Horgan,	McArthur,
Cochrane,	James,	McCulloch,
Ebbighausen,	Johnson of Sargent,	Oksendahl,
Elliott,	Johnson of G'd Forks,	Rinde,
Hagen,	Johnston,	Wright.
Hall,		

So the bill passed and the title was agreed to.

House Bill No. 134,

A bill for an act to amend section 3 of chapter 58 of the Laws of 1887,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 43, nays 4.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Kelly,	Satterlund,
Bentley,	Larson,	Severson,
Burkhardt,	Lee,	Simpson,
Churchill,	Levang,	Southard,
Davis,	Logan,	Strom,
Deans,	Lohnes,	Thexton,
Hall,	McCanna,	Tufts,
Halvorson,	Newman,	Ueland,
Haugen,	O'Keefe,	Veeder,
Havrevold,	Oliver,	Wallen,
Hodgson,	Pierce,	Wineman,
Holliday,	Plain,	Wishek,
Hurley,	Ritter,	Yegen,
James,	Sanford,	Mr. Speaker.
Johnson of G'd Forks,		

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Caldwell,	Thompson,	Towers.
McLean,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Hallum,	McCulloch,
Cochrane,	Horgan,	Oksendahl,
Ebbighausen,	Johnson of Sargent,	Rinde,
Elliott,	Johnston,	Wright.
Hagen,	McArthur,	

So the bill passed and the title was agreed to.

House Bill No. 137,

A bill for an act to amend section 2 of chapter 69 of the Laws of 1891,

Was read the third time.

Mr. Newman moved

That the further consideration of House Bill No. 137 be indefinitely postponed.

Mr. Johnson of Grand Forks moved

As a substitute that House Bill No. 137 be referred to general orders,

Which motion was lost.

The motion recurring upon the original motion,

The motion prevailed, and

The bill was indefinitely postponed.

House Bill No. 125,

A bill for an act to regulate the appointing of boiler inspectors and examiners for the State of North Dakota,

Was read the third time.

Mr. Bentley moved

That the further consideration of House Bill No. 125 be indefinitely postponed.

Mr. Hallum moved

That the substitute motion be laid on the table,

Which motion prevailed.

The question recurring on the motion to indefinitely postpone,

The motion prevailed.

The Committee on Engrossed Bills made the following report:

MR. SPEAKER:

Your Committee on Engrossed Bills have examined

House Bill No. 131,

A bill for an act to amend and re-enact chapter 140 of the Laws of 1890.

Also,

House Bill No. 133,

A bill for an act to amend and re-enact sections 2, 6 and 7 of article 9 of chapter 73 of the Laws of 1887, being sections 917, 921 and 922 of the Compiled Laws.

Also,

House Bill No. 134,

A bill for an act to amend section 3 of chapter 58 of the Laws of 1887, the same being section 2367 of the Compiled Laws of 1887.

Also,

House Bill No. 137,

A bill for an act to amend section 2 of chapter 69 of the Laws of 1891, entitled "An act for the protection of game."

Also,

House Bill No. 125,

A bill for an act to regulate the appointing of boiler inspectors and examiners for the State of North Dakota,

And find the same correctly engrossed.

J. DEXTER PIERCE,
Chairman.

House Bill No. 177,

A bill for an act making an appropriation to pay certain expenses incurred by the Third Legislative Assembly of the State of North Dakota,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 44, nays 3.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Larson,	Severson,
Bentley,	Lee,	Simpson,
Bullard,	Logan,	Southard,
Burkhardt,	Lohnes,	Strom,
Churchill,	McArthur,	Thexton,
Davis,	McCanna,	Tufts,
Deans,	McCulloch,	Ueland,
Hall,	Newman,	Veeder,
Hallum,	O'Keefe,	Wallen,
Halvorson,	Oksendahl,	Wineman,
Haugen,	Oliver,	Wishek,
Havrevold,	Pierce,	Wright,
Hodgson,	Plain,	Yegen,
Horgan,	Ritter,	Mr. Speaker.
James,	Satterlund,	

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Hurley,	McLean,	Sanford.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Holliday,	Levang,
Caldwell,	Johnson of Sargent,	McCanna,
Cochrane,	Johnson of G'd Forks,	Rinde,
Ebbighausen,	Johnston,	Thompson,
Elliott,	Kelly,	Towers.
Hagen,		

So the bill passed and the title was agreed to.

The Committee on Engrossed Bills made the following report:

MR. SPEAKER:

Your Committee on Engrossed Bills have examined House Bill No. 177,

A bill for an act making an appropriation to pay certain expenses incurred by the Third Legislative Assembly of the State of North Dakota,

And find the same correctly engrossed.

O. S. WALLEN,
Acting Chairman.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

SENATE CHAMBER, }
Bismarck, February 16, 1893. }

MR. SPEAKER:

The Senate would respectfully request of the House the return of Senate Bill No. 14 for correction.

Respectfully,
FRED FALLEY,
Secretary.

SENATE CHAMBER, }
Bismarck, February 16, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith
Senate Bill No. 118,

A bill to amend sections 3 and 8 of chapter 93 of Session Laws of 1891.

Also,
Senate Bill No. 29,

A bill for an act to amend section 290 of the Penal Code, being section 6490 of the Compiled Laws.

Also,
Senate Bill No. 83,

A bill for an act amending section 5 of chapter 58 of the Laws of 1887, relating to protection of birds.

Also,
Senate Bill No. 81,

A bill for an act to encourage the live stock industry to provide for the purchase or importation of thoroughbred stock for breeding purposes to protect breeders and importers from unjust and exorbitant charges and appointing a commission for the purpose of carrying the provisions of this act into effect and appropriating funds for the furtherance thereof.

Also,
Senate Bill No. 49,

A bill for an act prescribing the compensation of the Lieu-

tenant Governor while acting as Governor, which the Senate has passed and your favorable consideration thereof is respectfully requested.

Respectfully,
FRED FALLEY,
Secretary.

SENATE CHAMBER, }
Bismarck, February 16, 1893. }

MR. SPEAKER:

I have the honor to inform the House that the Senate has concurred in the House resolution, praying for the passage of the "good roads" bill.

Respectfully,
FRED FALLEY,
Secretary.

SENATE CHAMBER, }
Bismarck, February 16, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith
Senate Bill No. 66,

A bill for an act relating to the sale of city, town and village water works.

Also,
Senate Bill No. 121,

A bill for an act to provide for the erection and construction of the south wing of the Capitol, for the issuance and sale of \$50,000 of bonds, and for the appraisement and sale of the lands granted the State for the purpose of erecting public buildings at the Capital.

Also,
Senate Bill No. 69,

A bill for an act to reduce the salaries of Railroad Commissioners of the State of North Dakota from \$2,000 per year to \$100 per year from and after December 31, 1894.

Also,
Senate Bill No. 106,

A bill for an act to amend sections 288 and 289 of the Penal Code, being sections 6488 and 6489 of the Compiled Laws, providing for the punishment for robbery in the first and second degrees.

Which the Senate has passed, and your favorable consideration is respectfully requested.

Respectfully,
FRED FALLEY,
Secretary.

House Bill No. 109

A bill for an act to define the boundaries of the counties of North Dakota,

Was read the third time.

Mr. Ebbighausen moved that
The House do now take a recess for fifteen minutes,
Which motion prevailed, and
The House took a recess.

House reassembled.

Mr. Newman moved
That House Bill No. 194 be recommitted to the Committee on Banks and Banking.

Mr. Cochrane moved
That Senate Bill No. 19 be recalled from the Special Committee to which it was referred yesterday.

Mr. Speaker appointed Messrs. Oliver, Davis and Horgan a committee to notify the Senate that the House was in readiness to receive the Senate in Joint Session to ballot for a United States Senator.

The Sergeant-at-Arms announced the Lieutenant-Governor, members of the Senate and officers thereof, with the House committee escorting, in waiting.

JOINT SESSION.

The Joint Session of the two houses was called to order by the Lieutenant-Governor, the President of the Senate.

The rolls of the respective Houses were called.

All members present except Messrs. Boynton, Johnston, Hagen and Rinde.

The Journal of the Joint Session of the 4th legislative day was read.

Mr. Deans moved
That the reading of the names be dispensed with,
Which motion prevailed.

There being no objections, the Journal of the Joint Session of the forty-fourth day was approved.

Mr. Little moved
That the Joint Session do now proceed to take the fifty-first ballot for a United States Senator,
Which motion prevailed, and
The Joint Session proceeded to take the fifty-first ballot for a United States Senator.

FIFTY-FIRST BALLOT.

The roll being called, there were 89 votes cast, of which Mr. H. F. Miller received 36, Mr. John Miller 4, Judge Bartholomew 4, Mr. Walsh 15, Mr. Ueland 10, Judge Wallen 13, Mr. Lamb 5, Mr. Mahaney 1, Mr. Muir 1.

Those who voted for H. F. Miller were:

Messrs. Arnold, Day, Gregory, Haggart, Ink, Little, LaMoure, McGillivray, Miller, Sorley, Svensrud, Worst, White, Young, Benedict, Bentley, Bullard, Burkhardt, Churchill, Cochrane, Davis, Halvorson, Havrevold, Hurley, Larson, Lohnes, Newman, Oksendahl, Oliver, Ritter, Satterlund, Simpson, Tufts, Veeder, Wineman, Mr. Speaker—36.

Those who voted for John Miller were:

Messrs. Cashel, Johnson, Palmer, Wallen—4.

Those who voted for Mr. Walsh were:

Messrs. Bidlake, Enger, McCormack, Patch, Deans, Hall, Hal-lum, Haugen, Horgan, James, Kelly, McLean, O'Keefe, Plain, Thexton—15

Those who voted for Judge Wallen were:

Messrs. Brynjolfson, Burke, Engle, Pinkham, Ebbighausen, Holliday, McArthur, McCanna, Pierce, Sanford, Severson, Southard, Strom—13.

Those who voted for Judge Bartholomew were:

Messrs. Fuller, Wishek, Wright, Yegen—4.

Those who voted for Mr. Ueland were:

Messrs. Hillier, Kinter, Lamb, McCarten, Elliott, Hodgson, Lee, Levang, Logan, McCulloch—10.

Those who voted for Mr. Lamb were:

Messrs. Caldwell, Johnson of Sargent, Thompson, Towers, Ueland—5.

Mr. Stevens voted for Mr. Muir.

Mr. Johnson of Grand Forks voted for Mr. Mahaney.

Absent and not voting:

Messrs. Boynton, Hagen, Rinde and Johnston.

Mr. Little moved

That the Joint Assembly do now proceed to take the fifty-second ballot for a United States Senator,

Which motion prevailed, and

The Joint Session proceeded to take the fifty-second ballot for a United States Senator.

FIFTY-SECOND BALLOT.

The roll being called there were 89 votes cast, of which Mr.

H. F. Miller received 37, Mr. Walsh 9, Judge Wallen 8, Mr. J. Miller 3, Judge Bartholomew 3, Mr. Lamb 28, Mr. Muir 1.

Those who voted for Mr. H. F. Miller were:

Messrs. Arnold, Day, Gregory, Haggart, Ink, Little, LaMoure, McGillivray, Miller, Sorley, Svensrud, Worst, White, Young, Benedict, Bentley, Bullard, Burkhardt, Churchill, Cochrane, Davis, Halvorson, Havrevold, Hurley, Larson, Lohnes, Newman, Oksendahl, Oliver, Ritter, Satterlund, Simpson, Tufts, Veeder, Wineman, Wishek, Mr. Speaker—37.

Those who voted for Mr. John Miller were:

Messrs. Cashel, Johnson, Wallen—3.

Those who voted for Mr. Walsh were:

Messrs. Enger, Lamb, McCormack, Palmer, Hallum, Horgan, James, Kelly, Plain—9.

Those who voted for Mr. Lamb were:

Messrs. Bidlake, Brynjolfson, Burke, Engle, Hillier, Kinter, McCarten, Patch, Caldwell, Deans, Elliott, Hall, Hodgson, Holliday, Johnson of Sargent, Johnson of Grand Forks, Lee, Levang, Logan, McCanna, McCulloch, McLean, O'Keefe, Sanford, Thexton, Thompson, Towers, Ueland—28.

Those who voted for Judge Wallen were:

Messrs. Pinkham, Ebbighausen, Haugen, McArthur, Pierce, Severson, Southard, Strom—8.

Those who voted for Judge Bartholomew were:

Messrs. Fuller, Wright, Yegen—3.

Mr. Stevens voted for Mr. Muir.

Absent and not voting:

Messrs. Boynton, Hagen, Johnston and Rinde.

Mr. Oliver moved

That the Joint Session do now proceed to take the 53d ballot for a United States Senator,

Which motion prevailed, and

The Joint Session proceeded to take the 53d ballot for a United States Senator.

FIFTY-THIRD BALLOT.

The roll being called, there were 89 votes cast, of which Mr. H. F. Miller received 37, Mr. J. Miller 6, Major Edwards 8, Judge Bartholomew 2, Judge Wallen 14, Mr. Walsh 11, Mr. Elliott 1, Judge Rose 1, Mr. Muir 2, Mr. Reeves 1, Mr. Hodgson 2, Mr. Roach 1, Mr. Lamb 3.

Those who voted for Mr. Muir were:

Messrs. Stevens, Levang—2.

Those who voted for Judge Bartholomew were:

Messrs. Wright, Yegen—2.

Those who voted for Mr. H. F. Miller were:

Messrs. Arnold, Day, Gregory, Haggart, Ink, Little, LaMoure, McGillivray, Miller, Sorley, Svensrud, Worst, White, Young, Benedict, Bentley, Bullard, Burkhardt, Churchill, Cochrane, Davis, Halvorson, Havrevold, Hurley, Larson, Lohnes, Newman, Oksendahl, Oliver, Ritter, Satterlund, Simpson, Tufts, Veeder, Wineman, Wishek, Mr. Speaker—37.

Those who voted for Mr. J. Miller were:

Messrs. Cashel, Enger, Johnson, Elliott, Hodgson, Wallen—6.

Those who voted for Mr. Walsh were:

Messrs. Bidlake, Engle, Kinter, McCormack, Palmer, Hall, Hallum, Horgan, Lee, McLean, Thexton—11.

Those who voted for Judge Wallen were:

Messrs. Brynjolfson, Burke, Fuller, Patch, Pinkham, Ebbighausen, Haugen, McArthur, McCanna, Pierce, Severson, Southard, Strom, Thompson—14.

Those who voted for Mr. Lamb were:

Messrs. Hillier, Johnson of Sargent, O'Keefe—3.

Those who voted for Major Edwards were:

Messrs. Lamb, McCarten, Caldwell, Holliday, James, Johnson of Grand Forks, Kelly, Towers—8.

Those who voted for Mr. Hodgson were:

Messrs. McCulloch, Ueland—2.

Mr. Plain voted for Mr. Elliott.

Mr. Deans voted for Mr. Roach.

Mr. Logan voted for Judge Rose.

Mr. Sanford voted for Budd Reeves.

Absent and not voting:

Messrs. Boynton, Hagen, Johnston and Rinde.

Mr. Wineman moved

That the Joint Session do now dissolve.

Roll call demanded.

The roll being called there were ayes 49, nays 40.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Bidlake,	Svensrud,	McLean,
Brynjolfson,	Deans,	Newman,
Burke,	Ebbighausen,	O'Keefe,
Cashel,	Hall,	Oliver,
Day,	Hallum,	Pierce,
Enger,	Halvorson,	Plain,
Engle,	Hodgson,	Sanford,
Fuller,	Holliday,	Severson,
Hillier,	Horgan,	Southard,
Johnson,	James,	Strom,

Messrs—	Messrs—	Messrs—
Kinter,	Kelly,	Thexton,
Lamb,	Lee,	Thompson,
McCarten,	Levang,	Ueland,
McCormack,	Logan,	Wallen,
Palmer,	McCanna,	Wineman,
Patch,	McCulloch,	Wright.
Pinkham,		

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Arnold,	Bentley,	Larson,
Gregory,	Bullard,	Lohnes,
Haggart,	Burkhardt,	McArthur,
Ink,	Caldwell,	Oksendahl.
Little,	Churchill,	Ritter,
LaMoire,	Cochrane,	Satterlund,
McGillivray,	Davis,	Simpson,
Miller,	Elliott,	Towers,
Sorley,	Haugen,	Tufts,
Stevens,	Havrevold,	Veeder,
Worst,	Hurley,	Wishek,
White,	Johnson of Sargent,	Yegen,
Young,	Johnson of G'd Forks,	Mr. Speaker.
Benedict,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Johnston,	Rinde.
Hagen,		

So the motion to dissolve the Joint Session prevailed, and
The Joint Session dissolved.

J. G. HAMILTON,
Clerk of the Joint Session.

House reassembled.

The question being upon the motion to recall Senate Bill No. 19 from the special committee to which it was referred,
The motion prevailed.

Mr. Bentley moved

That Senate Bill No. 19 be referred to a joint committee consisting of the members from the two districts west of the Missouri river.

Mr. Simpson moved

As a substitute that the report of the Committee on Counties and County Boundaries be adopted.

Mr. Elliott moved

As an amendment to the substitute motion that Senate Bill No. 19 be made a special order for 11 o'clock a. m. to-morrow,
Which amendment was accepted, and
The original motion as amended prevailed.

Mr. Logan asked unanimous consent to make a report,
Which consent was granted.

House Bill No. 109,

A bill for an act to define the boundaries of the counties of North Dakota,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 55, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Johnson of Sargent,	Sanford,
Bentley,	Johnson of G'd Forks,	Satterlund,
Bullard,	Kelly,	Severson,
Burkhardt,	Larson,	Simpson,
Churchill,	Lee,	Southard,
Cochrane,	Lévang,	Strom,
Davis,	Logan,	Thexton,
Deans,	Lohnes,	Thompson,
Ebbighausen,	McArthur,	Towers,
Hall,	McCanna,	Tufts,
Hallum,	McCulloch,	Ueland,
Halvorson,	McLean,	Veeder,
Haugen,	Newman,	Wallen,
Havrevold,	O'Keefe,	Wineman,
Hodgson,	Oksendahl,	Wishek,
Holliday,	Oliver,	Wright,
Horgan,	Pierce,	Yegen,
Hurley,	Plain,	Mr. Speaker.
James,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Hagen,	Rinde,
Caldwell,	Johnston,	Ritter.
Elliott,		

So the bill passed and the title was agreed to.

The Committee on Engrossed Bills made the following report:

MR. SPEAKER:

Your Committee on Engrossed Bills have examined House Bill No. 145,

A bill for an act authorizing the adjournment of terms of court by order entered in vacation,

And find the same correctly engrossed.

J. DEXTER PIERCE,
Chairman.

Mr. Speaker called Mr. Hall to the chair.

House Bill No. 145,

A bill for an act authorizing the adjournment of the terms of court by order entered on vacation,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 44, nays 6.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Johnson of G'd Forks,	Simpson,
Burkhardt,	Johnson of Sargent,	Southard,
Caldwell,	Kelly,	Strom,
Cochrane,	Logan,	Thexton,
Davis,	McArthur,	Thompson,
Deans,	McCanna,	Towers,
Ebbighausen,	McCulloch,	Tufts,
Hall,	McLean,	Ueland,
Hallum,	Newman,	Veeder,
Halvorson,	O'Keefe,	Wallen,
Haugen,	Oliver,	Wineman,
Havrevold,	Pierce,	Wishek,
Hodgson,	Plain,	Wright,
Holliday,	Sanford,	Yegen.
James,	Satterlund,	

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Bullard,	Hurley,	Levang,
Churchill,	Larson,	Lohnes.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Horgan,	Rinde,
Boynton,	Johnston,	Ritter,
Elliott,	Lee,	Severson,
Hagen,	Oksendahl,	Mr. Speaker.

So the bill passed and the title was agreed to.

The Committee on Engrossed Bills made the following report:

MR. SPEAKER:

Your Committee on Engrossed Bills have examined
House Bill No. 56,

A bill for an act to amend section 1 of chapter 20 of the
Political Code of 1887, being section 487 of the Compiled Laws,
And find the same correctly engrossed.

O. S. WALLEN,
Acting Chairman.

Also,

House Bill No. 112,

A bill for an act authorizing County Commissioners to use
moneys belonging to road and bridge funds for reclaiming waste
lands, etc.,

Also,

House Bill No. 66,

A bill for an act to amend sections 49 and 53 of chapter 132 of
the Laws of 1890.

Also,

House Bill No. 4,

A bill for an act entitled "An act creating the office of State
Board of Auditors, and prescribing the duties thereof,"

Also,
 Substitute for House Bill No. 14,
 A bill for an act amending sections 5048 and 5049, Compiled
 Laws of 1887, relating to trials,

Also,
 Substitute for House Bill No. 30,
 A bill for an act to fix the terms of the district court in the
 Third Judicial District,

Also,
 House Bill No. 99,
 A bill for an act to amend sections 2, 5 and 13 of chapter 165
 of the Laws of 1890, entitled "An act to establish government
 and maintenance of a soldiers' home,"
 And find the same correctly engrossed.

J. DEXTER PIERCE,
 Chairman.

House Bill No. 56,
 A bill for an act to amend section 1 of chapter 20 of the Po-
 litical Code of 1887, being section 487 of the Compiled Laws,
 Was read the third time and placed upon its final passage.

The question being on the final passage of the bill.

The roll being called there were ayes 49, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Johnson of Sargent,	Sanford,
Bentley,	Johnson of G'd Forks,	Satterlund,
Bullard,	Kelly,	Simpson,
Burkhardt,	Larson,	Southard,
Caldwell,	Levang,	Strom,
Churchill,	Logan,	Thexton,
Cochrane,	Lohnes,	Thompson,
Deans,	McCanna,	Towers,
Hall,	McCulloch,	Tufts,
Hallum,	McLean,	Ueland,
Halvorson,	Newman,	Veeder,
Haugen,	O'Keefe,	Wallen,
Havrevold,	Oksendahl,	Wineman,
Hodgson,	Oliver,	Wishek,
Holliday,	Pierce,	Wright,
Hurley,	Plain,	Yegen.
James,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Horgan,	Rinde,
Davis,	Johnston,	Ritter,
Ebbighausen,	Lee,	Severson,
Elliott,	McArthur,	Mr. Speaker.
Hagen,		

So the bill passed and the title was agreed to.

House Bill No. 66,

A bill for an act to amend sections 49 and 53 of chapter 132 of the Laws of 1890, entitled "Revenue and Taxation,"

Was read the third time and placed upon its final passage.

The question being on the final passage of the bill.

The roll being called there were ayes 46, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	James,	Sanford,
Bentley,	Johnson of Sargent,	Satterlund,
Bullard,	Johnson of G'd Forks,	Severson,
Burkhardt,	Kelly,	Simpson,
Caldwell,	Larson,	Southard,
Churchill,	Levang,	Strom,
Cochrane,	McCanna,	Thexton,
Deans,	McCulloch	Tufts,
Hall,	McLean,	Ueland,
Hallum,	Newman,	Veeder,
Halvorson,	O'Keefe,	Wallen,
Haugen,	Oksendahl,	Wineman,
Havrevold,	Oliver,	Wishek,
Hodgson,	Pierce,	Wright,
Holliday,	Plain,	Yegen.
Hurley,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Johnston,	Rinde,
Davis,	Lee,	Ritter,
Ebbighausen,	Logan,	Thompson,
Elliott,	Lohnes,	Towers,
Hagen,	McArthur,	Mr. Speaker.
Horgan.		

So the bill passed and the title was agreed to.

House Bill No. 4,

A bill for an act entitled "An act creating the office of State Board of Auditors, and prescribing the duties thereof,"

Was read the third time.

Mr. Ueland moved

That the House do now adjourn,

Which motion was lost.

Mr. Wineman asked unanimous consent to amend House Bill No. 4 by inserting in section 2 the words "and not have more than 4 per cent,"

Which consent was granted and the bill was so amended.

The question being upon the final passage of the bill.

The roll being called there were ayes 45, nays 3.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Johnson of Sargent,	Sanford,
Bentley,	Johnson of G'd Forks,	Satterlund,
Bullard,	Kelly,	Severson,
Burkhardt,	Levang,	Simpson,
Caldwell,	Logan,	Southard,
Churchill,	McCanna,	Strom,
Deans,	McCulloch,	Thexton,
Ebbighausen,	McLean,	Tufts,
Hall,	Newman,	Ueland,
Hallum,	O'Keefe,	Veeder,
Halvorson,	Oksendahl,	Wallen,
Havrevold,	Oliver,	Wineman,
Hodgson,	Pierce,	Wishek,
Holliday,	Plain,	Wright,
James,	Ritter,	Yegen.

Those voting in the negative were:

Messrs—	Messrs—	Messrs—
Cochrane,	Lee,	Thompson.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Horgan,	Lohnes,
Davis,	Hurley,	McArthur,
Elliott,	Johnston,	Towers,
Hagen,	Larson,	Mr. Speaker.
Haugen,		

So the bill as amended passed and the title was agreed to.

Mr. Strom moved

That the House do now adjourn,

Which motion prevailed, and

The House adjourned.

J. G. HAMILTON,
Chief Clerk.

FORTY-SIXTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 17, 1893.

The House assembled at 10 o'clock a. m., pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All members present.

The committee to revise and correct the Journal made the following report:

MR. SPEAKER:

Your committee to revise and correct the Journal have examined the same and report the Journal of the House proceedings of the forty-fifth day to be correct.

D. C. TUFTS,
Chairman.

Which report was adopted and the Journal approved.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Burkhardt presented the following petition:

To the Legislative Assembly of the State of North Dakota:

We, the undersigned, small ranchmen and farmers in Oliver county, desire to make the following representations to your honorable body:

Senate Bill No. 19, now before your body, proposes to annex to Stark and Mercer counties nearly all the unsurveyed territory in the State which is not now annexed to some county.

Oliver county is one of the two or three small counties in the State, and it is bounded on the west by a vast area of territory which the bill mentioned proposes to give to our neighboring counties; if this is done, these counties will be unnecessarily large and unwieldy and will contain a vast amount of wealth. Our county, peopled as it is by small farmers and ranchmen, if it is silent now, and allows this measure to go through without a successful protest, will be hemmed in so that it will never be able in the future

to secure any of the territory which is being parceled out among its neighbors with such a lavish hand. We hereby petition your honorable body to attach to our county as much of the territory west of us as we are justly entitled to.

Signed by

FRANK J. WILLIAMS,
And Eleven Others.

Which was referred to general orders.

Mr. Strom presented the following petition:

TOWN OF NORWAY, TRAILL CO., N. D., December 30, 1892.

To the Honorable Members of the Senate and House of Representatives of the Third Legislative Assembly of the State of North Dakota:

The undersigned residents of the State of North Dakota, believing that three years is not a sufficient length of time in which to test the workings of the prohibitory system of dealing with the liquor traffic, pray your honorable body that you do not take any steps at this session looking towards a resubmission of the question to the people or repeal the penalty clauses.

Signed by

CHRISTIAN ELLINGSON,
And 103 Gentlemen and 71 Ladies.

Which was referred to the Committee on Temperance.

REPORTS OF STANDING COMMITTEES.

The Committee on Education made the following report:

MR. SPEAKER:

Your Committee on Education, to whom was referred House Bill No. 168,

A bill for an act to amend sections 17, 18 and 19 of the Session Laws of 1890, entitled "An act to provide for a uniform system of free public schools throughout the State, and to prescribe penalties for violation of the provisions thereof,"

Have had the same under consideration and recommend that the same do not pass.

J. DEXTER PIERCE,
J. N. DEANS.

Also, the following minority report:

We, the undersigned members of the Committee on Education, have had House Bill No. 168 under consideration and recommend that the same do pass.

JOHN LOGAN,
O. A. BOYNTON,
Minority.

Mr. Logan moved

That the minority report be adopted.

Mr. Ueland moved

As a substitute that House Bill No. 168 be referred to general orders,

Which motion prevailed.

The Committee on Education made the following report:

MR. SPEAKER:

Your Committee on Education, to whom was referred

House Bill No. 181,

A bill for an act to amend sections 48, 60, 61, 63 and 70 of chapter 62 of the Laws of 1890, relative to school district officers,

Have had the same under consideration and recommend that the same do not pass.

Also,

House Bill No. 208,

A bill for an act to repeal a special act of the Laws of 1885 entitled "An act establishing independent school district of Walcott, Richland county, Dakota Territory,"

And recommend that the same do pass.

JOHN LOGAN,
Chairman.

The Committee on Public Health made the following report:

MR. SPEAKER:

Your Committee on Public Health, to whom was referred

House Bill No. 42,

A bill for an act to amend section 2252 of article 5 of chapter 22 of the Political Code of the Compiled Laws of 1887, being an act entitled "An act to preserve the waters of the Dakota or James River and its tributaries for domestic and drinking purposes,"

Have had the same under consideration and recommend that the same be indefinitely postponed.

Also,

House Bill No. 136,

A bill for an act to amend sections 1 and 4 of chapter 121 of the Session Laws of Dakota for 1887,

Have had the same under consideration and recommend that the same be indefinitely postponed.

Also,

House Bill No. 114,

A bill for an act for the acquisition of land for township cemeteries,

And recommend that the same be amended as follows:

By striking out the word "and" in line 22 of page 1 (original bill) and inserting the word "to" in lieu thereof.

Also by striking out the words "county clerk of the county" and inserting in lieu thereof the words "district judge of the Judicial District" in line 27 of page 1, original bill.

Also by striking out after the word "privileges" the word "to" and inserting in lieu thereof the words "which the" in line 13 of page 4, original bill.

And when so amended recommend that the same do pass.

A. V. BENEDICT,
Chairman.

The Committee on Railroads made the following report:

MR. SPEAKER:

Your Committee on Railroads, to whom was referred
House Bill No. 151,

A bill for an act requiring the Board of Railroad Commissioners to ascertain the value of No. 1 hard wheat in Duluth or West Superior, based on the Liverpool market price, and providing for the publication thereof,

Have had the same under consideration and recommend that the same be referred to the Committee on Appropriations.

O. A. BOYNTON,
Chairman.

The Judiciary Committee made the following report:

MR. SPEAKER:

Your Judiciary Committee, to whom was referred
House Bills Nos. 49 and 202,

A bill for an act to authorize and regulate within this State the business of commercial agencies, credit companies and guarantee associations,

Have had the same under consideration and recommend as a substitute therefor House Bill No., which your committee has had under consideration, and recommend that the same do pass.

Also,

House Bill No. 38,

A bill for an act to amend sections 253 and 258 of the Code of Civil Procedure of the Revised Code of 1887,

And recommend that the same be indefinitely postponed.

Also,

House Bill No. 150,

A bill for an act to amend section 8 of chapter 91 of the Printed Laws of 1890, in relation to the issuance of marriage licenses.

And recommend that the same do pass.

SETH NEWMAN,
Chairman.

The Committee on Agriculture made the following report:

MR. SPEAKER:

Your Committee on Agriculture, to whom was referred
House Bill No. 124,

A bill for an act to prevent the spread of contagious and infectious diseases among domestic animals,

Have had the same under consideration and recommend that the same be amended as follows:

1. Strike out the words "car or" in line 25, section 11 of printed bill.
2. Strike out the words "public common school" in line 2, section 14 and insert in lieu thereof the words "State treasury general."

3. Strike out all of section 18.
 4. Strike out the word "State" wherever it occurs in connection with the words "district veterinarian" or "deputy district veterinarian" as part of the title or designation of such officer,

And when so amended recommend that the same do pass.

O. S. WALLEN,
 Chairman.

The Committee on State Affairs made the following report:

MR. SPEAKER:

Your Committee on State Affairs, to whom was referred
 House Bill No. 200,

A bill for an act to re-enact section 779 and subdivision 5 of
 section 2594 of the Civil Code,

Have had the same under consideration and recommend that
 the same do pass.

Also,

House Bill No. 201,

A bill for an act providing for a State bounty for the destruc-
 tion of wolves,

And recommend that the same do not pass.

Also,

House Bill No. 204,

A bill for an act to amend chapter 71 of the Laws of 1891, rela-
 tive to wolf bounty,

And recommend that the same do pass.

L. A. UELAND,
 Chairman.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER, }
 Bismarck, February 17, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith
 House Bill No. 99,

A bill for an act to amend sections 2, 5, and 13 of chapter 165
 of the Laws of 1890, entitled "An act to establish government
 and maintenance of a soldiers' home,"

Which the Senate has passed unchanged.

Respectfully,

FRED FALLEY,
 Secretary.

The Committee on Public Health made the following report:

MR. SPEAKER:

Your Committee on Public Health, to whom was referred
 House Bill No. 135,

A bill for an act to amend section 9 of chapter 121 of the Session

Laws of Dakota for 1887, entitled "An act to regulate the practice of pharmacy, the licensing of persons to carry on such practice and the sale of poisons in the Territory of Dakota."

Have had the same under consideration and recommend that the same be indefinitely postponed.

Also,

House Bill No. 73,

A bill for an act for the prevention and suppression of infectious and contagious diseases, and to preserve the public health,

And recommend that the same be indefinitely postponed.

Also,

House Bill No. 189,

A bill for an act to amend sections 3, 5, 8, 10, 11 and 12 of chapter — of the Laws of 1890, entitled "An act to regulate the practice of pharmacy, the licensing of persons to carry on such practice and the sale of poisons in the State of North Dakota,

And recommend that the same be amended as follows:

That the title be amended so as to read as follows:

A bill for an act to amend sections 3, 5, 8, 10, 11 and 12 of chapter 108, Laws of 1890, entitled "An act to regulate the practice of pharmacy, the licensing of persons to carry on such practice and the sale of poisons in the State of North Dakota," approved March 20, 1890.

That section 2 be amended so as to read as follows:

SEC. 2. That section 5 of said act be amended so as to read as follows:

§ 5. Said board shall, within thirty days after their appointment and qualification, meet and organize by the selection of a president and secretary from the number of its own members, who shall be elected for the term of one year, and who shall perform the duties prescribed by the board. It shall be the duty of the board to examine all applicants for registration submitted in proper form; to grant certificates of registration to such persons as may be entitled to the same under the provisions of this act; to cause the prosecution of all persons violating its provisions; to report annually to the governor, and to the North Dakota Pharmaceutical association, upon the condition of pharmacy in the State, which said report shall also furnish a record of the proceedings of said board for the year, as well as the names of all pharmacists duly registered under this act. The board shall hold meetings for the examination of all applicants for registration and transaction of such other business as shall pertain to its duties, at least twice, or not more than four times a year, at the discretion of the board; and the said board shall give thirty days' public notice, in three of the pharmaceutical journals of general circulation of the State, of the time and place of such meeting. The said board shall also have power to make by-laws for the proper execution of its duties under this act, and shall keep a book of registration in which shall be entered the names and places of business of all persons registered under this act, which registration book shall also contain such facts as such persons claim to justify their registration. Two members of said board shall constitute a quorum.

The said board shall also have the power to cancel the certificate of any registered pharmacist for intemperance, incompetency or illegal sale of intoxicating liquors in the following manner:

Upon the sworn complaint of at least three reputable citizens, charging any registered pharmacist with intemperance, incompetency or illegal sale of intoxicating liquors, the board shall appoint a time and place for hearing of

said charges and shall give the pharmacist so charged at least ten days' notice, by mail, of the time and place of said hearing, when he shall appear and answer said charges.

If the board shall find any one or all of said charges to be true, they shall forthwith cancel the certificate of said pharmacist and his registry as a pharmacist entitled to do business in North Dakota.

That section 3 be amended by striking out the words "on arbortration," in line numbered 7 in original bill, and inserting in lieu thereof the word "admission," and by striking out the words "entitled to," in same line, and inserting in lieu thereof the words "entitles such applicant to."

That section 5 be amended by striking out the word "treasurer," in the line of said section numbered 16 in original bill, and inserting in lieu thereof the word "secretary," also by striking out the word "treasurer," in line numbered 21, and inserting in lieu thereof the word "secretary."

That section 6 be amended by striking out the word "compense" and inserting "dispense" in line numbered 33 in original bill, on page 3, and by inserting in line numbered 15, on page 4 of original bill, after the word "seem," the words "to him."

And when so amended recommend that the same do pass.

A. V. BENEDICT,
Chairman.

The Committee on Apportionment made the following report:

MR. SPEAKER:

Your Committee on Apportionment, to whom was referred
House Bill No. 29,

A bill for an act to establish the Thirty-second Senatorial and
Legislative District,

Have had the same under consideration and recommend that the
same be amended as follows:

Amend the title of the bill to read as follows: "An act entitled 'An act to establish the Thirty-second Senatorial and Legislative District and to increase the Legislative membership in the Twelfth District.'"

Amend the bill by adding thereto the following: "Section 2. The Twelfth Senatorial and Legislative District shall consist of Richland county and be entitled to one Senator and four representatives."

And when so amended recommend that the same do pass.

H. H. STROM,
Chairman.

Mr. Oliver moved

That the report of the committee be adopted,
Which motion prevailed.

The Committee on Judiciary made the following report:

MR. SPEAKER:

Your Committee on Judiciary, to whom was referred

Concurrent resolution providing for an amendment to section 7
of article 1 of the Constitution of the State of North Dakota, relating to jury trials in civil actions,

Have had the same under consideration and recommend that the
same do not pass.

SETH NEWMAN,
Chairman.

Also the following minority report:

MR. SPEAKER:

Your minority Committee on Judiciary, to whom was referred Concurrent resolution providing for an amendment to section 7 of article 1 of the Constitution of the State of North Dakota, relating to jury trials in civil actions,

Have had the same under consideration and recommend that the same do pass.

J. DEXTER PIERCE,
L. A. UELAND,
RALPH HALL,
L. A. SIMPSON,
Minority.

INTRODUCTION OF BILLS, JOINT RESOLUTIONS AND MEMORIALS.

Mr. Churchill introduced—

House Bill No. 215,

A bill for an act to facilitate the shipment of grain,

Which was read the first time.

Mr. Hodgson introduced (by request)—

House Bill No. 216,

A bill for an act providing for the separation and organization of fractional townships when connected in civil township organization with full congressional townships,

Which was read the first time.

Mr. Wright introduced—

House Bill No. 217,

A bill for an act to authorize cities to empty sewerage into rivers within this State,

Which was read the first time.

SECOND READING OF HOUSE BILLS.

House Bill No. 206,

A bill for an act relating to the practice in courts of justice of the peace,

Was read the second time and referred to the Judiciary Committee.

House Bill No. 209,

A bill for an act to repeal chapter 36 of the Session Laws of 1890, being an act to encourage the manufacture of potato starch in the State of North Dakota,

Was read the second time and referred to the Committee on Labor.

House Bill No. 210,

A bill for an act appertaining to the taxation of telegraph companies,

Was read the second time and referred to the Committee on Taxation and Tax Laws.

House Bill No. 211,

A bill for an act to amend sections 7 and 8 of chapter 91, Laws of 1890, relating to marriage and marriage licenses,

Was read the second time and referred to the Committee on Public Printing.

House Bill No. 212,

A bill for an act to amend section 2 of chapter 107 of the Session Laws of 1890, entitled "An act to provide for the inspection of illuminating oils manufactured from petroleum or coal oils, for the purpose of raising the tests of oils,

Was read the second time and referred to the Committee on Public Health.

Mr. Oliver moved

That House Bill No. 212 be referred to a joint committee of five, three from the House and two from the Senate,

Which motion prevailed.

Mr. Speaker appointed as such committee on the part of the House Messrs. Towers, Oliver and Hallum.

House Bill No. 213,

A bill for an act to provide for ascertaining and collecting the just amount to be paid for taxes on property in case of invalidity of tax proceedings,

Was read the second time and referred to the Committee on Taxation and Tax Laws.

House Bill No. 214,

A bill for an act to provide for the trial of cases tried by the district court without a jury and for the hearing of such actions on appeal,

Was read the second time and referred to the Judiciary Committee.

MR. SPEAKER:

I herewith return Senate Bill No. 19 from the special committee to which it was referred for consideration without having acted on it. Also an amendment proposed for said bill.

L. BURKHARDT.

THIRD READING OF HOUSE BILLS.

House Bill No. 62,

A bill for an act providing an appropriation for the manufacture of potato starch in the State of North Dakota,

Was placed on its final passage.

The question being upon the final passage of the bill:

The roll being called there were ayes 37, nays 6.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Havrevold,	Ritter,
Bentley,	Holliday,	Severson,
Boynton,	Horgan,	Strom,
Bullard,	Hurley,	Thompson,
Burkhardt,	James,	Tufts,
Caldwell,	Johnson of G'd Forks,	Ueland,
Cochrane,	Larson,	Veeder,
Davis,	Lohnes,	Wallen,
Deans,	McCanna,	Wishek,
Hagen,	Newman,	Wright,
Hallum,	Oksendahl,	Yegen,
Halvorson,	Oliver,	Mr. Speaker.
Haugen,		

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Johnson of Sargent,	Plain,	Thexton,
McLean,	Sanford,	Towers.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Churchill,	Lee,	Pierce,
Ebbighausen,	Levang,	Rinde,
Elliott,	Logan,	Satterlund,
Hall,	McArthur,	Simpson,
Hodgson,	McCulloch,	Southard,
Johnston,	O'Keefe,	Wineman.
Kelly,		

So the bill passed and the title was agreed to.

The Committee on Engrossed Bills made the following report:

MR. SPEAKER:

Your Committee on Engrossed Bills have examined

House Bill No. 24,

A bill for an act to amend section 3, chapter 50, Laws of 1890,

And find the same correctly engrossed.

J. DEXTER PIERCE,
Chairman.

House Bill No. 24,

A bill for an act to amend section 3, chapter 50, Laws of 1890,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 50, nays none.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	James,	Sanford,
Bentley,	Johnson of Sargent,	Severson
Boynton,	Johnson of G'd Forks,	Simpson,
Bullard,	Kelly,	Southard,
Burkhardt,	Larson,	Strom,
Cochrane,	Levang,	Thexton,
Davis,	Logan,	Thompson,

Messrs—	Messrs—	Messrs—
Deans,	Lohnes,	Towers.
Ebbighausen,	McCanna,	Tufts,
Hagen,	McCulloch,	Ueland,
Hallum,	McLean,	Veeder,
Halvorson,	Newman,	Wallen,
Haugen,	Oksendahl,	Wishek,
Havrevold,	Oliver,	Wright,
Hodgson,	Plain,	Yegen,
Horgan,	Rinde,	Mr. Speaker.
Hurley,	Ritter,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Caldwell,	Holliday,	O'Keefe,
Churchill,	Johnston,	Pierce,
Elliott,	Lee,	Satterlund,
Hall,	McArthur,	Wineman.

So the bill passed and the title was agreed to.

CONSIDERATION OF SPECIAL ORDERS.

The hour having arrived for the consideration of Senate Bill No. 19, made a special order for 11 o'clock a. m.,

Mr. Ueland moved

That the House do now resolve itself into Committee of the Whole for the consideration of Senate Bill No. 19,

Which motion prevailed.

Mr. Speaker called Mr. Ueland to the chair.

When the committee arose the following report was presented:

MR. SPEAKER:

Your Committee of the Whole have had under consideration Senate Bill No. 19,

A bill for an act to change the boundaries of the counties of Stark and Mercer,

Together with the report of the Committee on Counties and certain amendments proposed by Mr. Burkhardt, and recommend the adoption of the following report of the Committee on Counties and County Boundaries and the passage of the bill as so amended.

L. A. UELAND,
Chairman.

The Committee on County Boundaries made the following report:

MR. SPEAKER:

Your Committee on County Boundaries, to whom was referred Senate Bill No. 19,

A bill for an act to change the boundaries of Stark and Mercer, Have had the same under consideration and recommend that the same be amended as follows:

By inserting after the word "county" in first line of section 1 of said bill the following: "All that portion of the State embraced within the following boundaries shall be known as Stark county," to-wit:

Also, by inserting after the word "county" in the first line of section 2 of said bill the following: "All that portion of the State embraced within the following boundaries shall be known as Mercer county," to-wit:

Also, that the following amendment be made: "Section 3, and what is now section 3, be made section 4."

Before this act shall take effect it shall be the duty of the board of county commissioners of the counties of Stark and Mercer to submit to the qualified electors of the counties of Stark and Mercer the question of change and increase of their respective township boundaries. Such question shall be submitted by them at the next general election held in this State. Each elector shall have written or printed on his ballot the words "For change and increase of county boundaries," or the words "Against change and increase of county boundaries." And the votes on the question shall be returned and canvassed in the same manner as votes for county officers are returned and canvassed.

It shall be the duty of the canvassing boards, immediately on the completion of the canvass, to file with the register of deeds of their respective counties, also with the Secretary of State, a certificate showing the result of said election, and if at said election a majority of the legal voters of any of the counties named in this section voting at said election shall have voted for a change and increase of the boundaries of their respective counties, then the boundaries of said county shall be, from and after the filing of the certificates aforesaid, as in this act described.

But if a majority of the legal voters of any of the counties named in this section, voting at said election, shall have voted against the change and increase of the boundaries of their respective counties, then the boundaries of said counties shall remain as now defined by law, the same as if this act had not been passed.

And when so amended recommend that the same do pass.

L. A. SIMPSON,
Chairman.

Mr. Simpson moved
That the report of the Committee of the Whole be adopted,
Which motion prevailed, and
The report of the Committee of the Whole was adopted.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

SENATE CHAMBER, }
Bismarck, February 17, 1893. }

MR. SPEAKER:

I have the honor to inform you that the Senate has complied with the request of the House for the return of Senate Bill No. 56, which I transmit herewith.

Respectfully,
FRED FALLEY,
Secretary.

SENATE CHAMBER, }
Bismarck, February 17, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith
Senate Bill No. 108,

A bill for an act to regulate the sale and redemption of transportation tickets of common carriers,

Which the Senate has passed, and your favorable consideration thereof is respectfully requested.

Respectfully,
 FRED FALLEY,
 Secretary.

Mr. Ueland moved

That the House do now take a recess for twenty minutes,
 Which motion prevailed, and
 The House took a recess.

House reassembled.

Mr. Speaker appointed Messrs. Burkhardt, Churchill and Hall a committee to notify the Senate that the House was in readiness to receive the Senate in Joint Session to ballot for a United States Senator.

The Sergeant-at-Arms announced the Lieutenant-Governor, members of the Senate and officers thereof, with the House committee escorting, in waiting.

JOINT SESSION.

The Joint Session of the two houses was called to order by the Lieutenant-Governor, the President of the Senate.

The rolls of the respective Houses were called.

All members present.

The Journal of the Joint Session of the 45th legislative day was read.

Mr. Svensrud moved

That the reading of the names be dispensed with,
 Which motion prevailed.

There being no objections, the Journal of the Joint Session of the forty-fifth day was approved.

Mr. Haugen moved

That the Joint Session do now proceed to take the fifty-fourth ballot for a United States Senator,

Which motion prevailed, and

The Joint Session proceeded to take the fifty-fourth ballot for a United States Senator.

FIFTY-FOURTH BALLOT.

The roll being called, there were 93 votes cast, of which Mr. H. F. Miller received 35, Mr. John Miller 1, Mr. Walsh 17, Judge Wallen 35, Judge Bartholomew 1, Mr. Palmer 2, Mr. Roach 1, Mr. Muir 1.

Those who voted for Mr. H. F. Miller were:

Messrs. Arnold, Day, Gregory, Haggart, Ink, Little, LaMoure, McGillivray, Miller, Svensrud, Worst, White, Young, Benedict, Bentley, Boynton, Bullard, Burkhardt, Churchill, Cochrane, Davis, Halvorson, Hurley, Larson, Lohnes, Newman, Oliver, Ritter, Satterlund, Simpson, Tufts, Veeder, Wineman, Wishek, Mr. Speaker—35.

Those who voted for Mr. Walsh were:

Messrs. Bidlake, Burke, Engle, McCormack, Palmer, Sorley, Ebbighausen, Hall, Holliday, James, Johnson of Grand Forks, Johnston, Kelly, McLean, O'Keefe, Plain, Thexton—17.

Those who voted for Judge Wallen were:

Messrs. Brynjolfson, Enger, Fuller, Hillier, Johnson, Kinter, Lamb, McCarten, Patch, Pinkham, Caldwell, Elliott, Hagen, Hallum, Haugen, Hodgson, Horgan, Johnson of Sargent, Lee, Levang, Logan, McArthur, McCanna, McCulloch, Pierce, Rinde, Sanford, Severson, Southard, Strom, Thompson, Towers, Ueland, Wallen, Wright—35.

Those who voted for Mr. Palmer were:

Messrs. Havrevold, Oksendahl—2.

Mr. Stevens voted for Mr. Muir.

Mr. Cashel voted for Mr. John Miller.

Mr. Yegen voted for Judge Bartholomew.

Mr. Deans voted for Mr. Roach.

Mr. Little moved

That the Joint Session do now proceed to take the fifty-fifth ballot for a United States Senator,

Which motion prevailed, and

The Joint Session proceeded to take the fifth-fifth ballot for a United States Senator.

FIFTY-FIFTH BALLOT.

The roll being called there were 93 votes cast, of which Mr. H. F. Miller received 37, Mr. Walsh 14, Mr. Roach 6, Judge Wallen 29, Judge Bartholomew 1, Mr. Reese 1, Mr. Palmer 3, Mr. Muir 1, Mr. Reeves 1.

Those who voted for Mr. Miller were:

Messrs. Arnold, Cashel, Day, Gregory, Haggart, Ink, Johnson, Little, LaMoure, McGillivray, Miller, Svensrud, Worst, White, Young, Benedict, Bentley, Boynton, Bullard, Burkhardt, Churchill, Cochrane, Davis, Halvorson, Hurley, Larson, Lohnes, Newman, Oliver, Ritter, Satterlund, Simpson, Tufts, Veeder, Wineman, Wishek, Mr. Speaker—37.

Those who voted for Judge Wallen were:

Messrs. Enger, Fuller, Hillier, Lamb, McCarten, Pinkham,

Caldwell, Elliott, Hagen, Hall, Haugen, Hodgson, Johnson of Sargent, Lee, Levang, Logan, McArthur, McCanna, McCulloch, Pierce, Rinde, Severson, Southard, Strom, Thompson, Towers, Ueland, Wallen, Wright—29.

Those who voted for Mr. Walsh were:

Messrs. Bidlake, Brynjolfson, Burke, Engle, McCormack, Palmer, Sorley, Holliday, Johnston, Kelly, McLean, O'Keefe, Plain, Thexton—14.

Those who voted for Mr. Roach were:

Messrs. Kinter, Patch, Deans, Hallum, Horgan, James—6.

Those who voted for Mr. Palmer were:

Messrs. Havrevold, Johnson of Grand Forks, Oskendahl—3.

Mr. Stevens voted for Mr. Muir.

Mr. Ebbighausen voted for Mr. Reese.

Mr. Sanford voted for Mr. Reeves.

Mr. Yegen voted for Judge Bartholomew.

Mr. Little moved

That the Joint Session do now proceed to take the fifty-sixth ballot for a United States Senator,

Which motion prevailed, and

The Joint Session proceeded to take the fifty-sixth ballot for a United States Senator.

FIFTY-SIXTH BALLOT.

The roll being called, there were 93 votes cast, of which Mr. H. F. Miller received 41, Mr. Walsh 14, Judge Wallen 27, Mr. Reeves 1, Mr. Muir 1, Mr. Palmer 5, Mr. Roach 4.

Those who voted for Mr. H. F. Miller were:

Messrs. Arnold, Cashel, Day, Gregory, Haggart, Ink, Johnson, Little, LaMoure, McGillivray, Miller, Sorley, Svensrud, Worst, White, Young, Benedict, Bentley, Boynton, Bullard, Burkhardt, Churchill, Cochrane, Davis, Hagen, Halvorson, Hurley, Larson, Lohnes, Newman, Oliver, Ritter, Satterlund, Simpson, Strom, Tufts, Veeder, Wineman, Wishek, Yegen, Mr. Speaker—41.

Those who voted for Mr. Wallen were:

Messrs. Enger, Fuller, Hillier, Lamb, McCarten, Pinkham, Caldwell, Elliott, Haugen, Hodgson, Holliday, Johnson of Sargent, Lee, Levang, Logan, McArthur, McCanna, McCulloch, Pierce, Rinde, Severson, Southard, Thompson, Towers, Ueland, Wallen, Wright—27.

Those who voted for Mr. Walsh were:

Messrs. Bidlake, Engle, McCormack, Palmer, Ebbighausen, Hall, Horgan, James, Johnston, Kelly, McLean, O'Keefe, Plain, Thexton—14.

Those who voted for Mr. Roach were:
Messrs. Brynjolfson, Kinter, Deans, Hallum—4.

Those who voted for Mr. Palmer were:
Messrs. Burke, Patch, Havrevold, Johnson of Grand Forks, Oksendahl—5.

Mr. Stevens voted for Mr. Muir.

Mr. Sanford voted for Mr. Reeves.

Mr. Oliver moved
That the Joint Session do now proceed to take the fifty-seventh ballot.

Mr. Bidlake moved
As an amendment that the Joint Assembly do now dissolve.
Roll call demanded.

The roll being called there were ayes 52, nays 41.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Bidlake,	Hagen,	McCanna,
Brynjolfson,	Hall,	McCulloch,
Burke,	Hallum,	McLean,
Enger,	Haugen,	O'Keefe,
Engle,	Havrevold,	Oksendahl,
Fuller,	Hodgson,	Pierce,
Hillier,	Holliday,	Plain,
Kinter,	Horgan,	Rinde,
Lamb,	James,	Sanford,
McCarten,	Johnson of Sargent,	Severson,
McCormack,	Johnson of G'd Forks	Southard,
Palmer,	Johnston,	Thexton,
Patch,	Kelly,	Thompson,
Pinkham,	Lee,	Towers,
Caldwell,	Levang	Ueland.
Deans,	Logan,	Wallen,
Ebbighausen,	McArthur,	Wright.
Elliott,		

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Arnold,	Worst,	Lohnes,
Cashel,	White,	Newman,
Day,	Young,	Oliver,
Gregory,	Benedict,	Ritter.
Haggart,	Bentley,	Satterlund,
Ink,	Boynton,	Simpson,
Johnson,	Bullard,	Ström,
Little,	Burkhardt,	Tufts,
LaMoure,	Churchill,	Veeder,
McGillivray,	Cochrane,	Wineman,
Miller,	Davis,	Wishek,
Sorley,	Halvorson,	Yegen,
Stevens,	Hurley,	Mr. Speaker.
Svensrud,	Larson,	

Which motion prevailed, and
The Joint Session dissolved.

J. G. HAMILTON,
Clerk of the Joint Session.

House reassembled.

Mr. Deans moved
That the House do now take a recess for fifteen minutes,
Which motion prevailed, and
The House took a recess.

House reassembled.

Mr. Wishek moved
That the report of the committee on House Bill No. 29 be
adopted,
Which motion prevailed.

The Committee on Education made the following report:

MR. SPEAKER:

Your Committee on Education, to whom was referred
House Bill No. 102,

A bill for an act to provide free and uniform text books
throughout the several counties of the state,

Have had the same under consideration and recommend that
the same be amended as follows:

Strike out all of section 2 after the word "provided," in line 4 of printed bill, and insert the following: "Before any publisher or publishers shall enter or attempt to enter into any contract for the sale of text books as provided herein, they shall file with the Superintendent of Public Instruction of the State of North Dakota a list of the books, and the exchange introduction contract and mailing price at which they will sell any or all of such books to any board of directors in the State of North Dakota, together with a bond in the sum of from \$2,000 to \$20,000 for the faithful performance of the conditions of all such contracts within the State. Said bond to be approved by the State Superintendent."

Also, that section 6 be amended as follows: After the word "commissioners," in line 2 of printed bill, insert the following: "And two resident teachers of known reputation, said teachers to be selected by the county superintendent, county auditor and chairman of the board of county commissioners for the term of one year."

Also, strike out the word "all" in first line of section 7 of printed bill.

Also, strike out all of section 8.

And when so amended recommend that the same do pass.

JOHN LOGAN,
Chairman.

Mr. Ueland moved
That the request of the Senate to return Senate Bill No. 14 be
granted,
Which motion prevailed.

By unanimous consent the following reports were presented:

The Committee on Military Affairs made the following report:

MR. SPEAKER:

Your Committee on Military Affairs, to whom was referred
House Bill No. 191,

A bill for an act to amend section 60 of chapter 86 of the Laws of 1891, entitled "An act to provide a military code for the State of North Dakota,"

Have had the same under consideration and recommend that the same be amended as follows:

Insert after the word "annually," in line 4 of printed bill, the following, to-wit: "United States regulation clothing at government prices, to the amount of seven (7) dollars or in lieu thereof," and after the word "dollars" insert the words "in cash;" also, in line 13, strike out the words "five hundred (500)," and insert the words "three hundred (300)."

And when so amended recommend that the same do pass.

F. W. MCLEAN,
Chairman.

Mr. Oliver moved that the report of the Committee on Military Affairs be adopted,

Which motion prevailed.

The Judiciary Committee made the following report:

MR. SPEAKER:

Your Judiciary Committee, to whom was referred
House Bill No. 205,

A bill for an act to amend section 510 of the Code of Civil Procedure,

Have had the same under consideration and recommend that the same do pass.

SETH NEWMAN,
Chairman.

Mr. Elliott (by unanimous consent) introduced—
House Bill No. 218,

A bill for an act to impose a tax upon that proportion of the capital stock of all Pullman sleeping, palace or dining car companies which is invested and used in the State, and upon all sleeping, palace or dining cars operated in North Dakota,

Which was read the first time.

The Committee on Engrossed Bills made the following report:

MR. SPEAKER:

Your Committee on Engrossed Bills have examined
House Bill No. 90,

A bill for an act to amend article 16 of chapter 73 of the Laws of 1887, being sections 1000, 1001, 1002 to 1007, inclusive, of the Compiled Laws of the State of North Dakota, and to re-enact the same as so amended,

And find the same correctly engrossed.

J. DEXTER PIERCE,
Chairman.

Mr. Bentley asked unanimous consent to offer the following resolution:

Be it Resolved by the House of Representatives of the Third Legislative Session:

That permission be given to Company A, First Regiment, North Dakota National Guards, to occupy this hall on the evening of February 22, Washington's birthday, for a social party.

Mr. Bentley moved
That the resolution be adopted,
Which motion prevailed.

Mr. Yegen moved
That the rules be suspended and that Senate Bill No. 121 be read the first and second times and referred to its appropriate committee,
Which motion prevailed.

Senate Bill No. 121,

A bill for an act to provide for the erection and construction of the south wing of the Capitol, for the issuance and sale of \$50,000 of bonds, and for the appraisal and sale of the lands granted the State for the purpose of erecting public buildings at the Capital,

Was read the first and second times and referred to the Appropriation Committee.

Mr. Satterlund moved

That the rules be suspended and that Senate Bill No. 62 be read the first and second times and referred to its appropriate committee,

Which motion prevailed, and
Senate Bill No. 62,

A bill for an act appropriating money from the State Treasury not otherwise appropriated to recompense the county auditor of the county of Ward for services in making out and extending the tax lists and making abstracts of the same, and in doing and performing all the other acts that the law provides that he shall do and perform in the assessment and collection of the State tax in the unorganized counties of Buford, Montraille, Flannery and Renville in the years 1890, 1891 and 1892,

Was read the first and second times and referred to the Committee on Appropriations.

House Bill No. 90,

A bill for an act to amend article 16 of chapter 73 of the Laws of 1887, being sections 1000, 1001, 1002 to 1007, inclusive, of the Compiled Laws of the State of North Dakota, and to re-enact the same as so amended,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 57, nays none.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hurley,	Ritter,
Boynton,	James,	Sanford,
Bullard,	Johnson of Sargent,	Satterlund,
Burkhardt,	Johnson of G'd Forks,	Severson,
Churchill,	Johnston,	Simpson,
Cochrane,	Kelly,	Southard,
Davis,	Larson,	Strom,
Deans,	Levang,	Thexton,
Ebbighausen,	Logan,	Thompson,
Elliott,	McArthur,	Towers,
Hagen,	McCanna,	Tufts,
Hall,	McLean,	Ueland,
Hallum,	Newman,	Veeder,
Halvorson,	O'Keefe,	Wallen,
Haugen,	Oksendahl,	Wineman,
Havrevold,	Oliver,	Wishek,
Hodgson,	Pierce,	Wright,
Holliday,	Plain,	Yegen,
Horgan,	Rinde,	Mr. Speaker.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Lee,	McCulloch.
Caldwell,	Lohnes,	

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, February 17, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith
Senate Bill No. 41,

A bill for an act fixing the fees to be charged for filing, renewing and releasing chattel mortgages.

Also,

Senate Bill No. 95,

A bill for an act fixing the salaries of the judges of the district courts,

Which the Senate has passed, and your favorable consideration is respectfully requested.

Respectfully,

FRED FALLEY,
Secretary.

Mr. Ritter by unanimous consent introduced—

House Bill No. 219,

A bill for an act to amend section 95 of the Code of Criminal Procedure, being section 7120 of the Compiled Laws,

Which was read the first time.

Mr. Oliver asked unanimous consent to have House Bill No. 7 read the third time and placed upon its final passage, which consent was granted, and

House Bill No. 7,

A bill for an act to require the county treasurers to deposit the county funds in designated depositories,

Was read the third time.

Mr. Newman asked unanimous consent to amend House Bill No. 7 by adding the following amendment to section 4, which consent was granted, and the bill was so amended:

Provided, That said sureties shall qualify in the manner required by the statute on arrest on bail in a lien in the aggregate twice the amount of such bond.

The question being upon the passage of the bill as so amended.

The roll being called there were ayes 58, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Horgan,	Rinde,
Bentley,	James,	Sanford,
Boynton,	Johnson of Sargent,	Satterlund,
Bullard,	Johnson of G'd Forks,	Severson,
Burkhardt,	Johnston,	Simpson,
Caldwell,	Kelly,	Southard,
Churchill,	Larson,	Strom,
Cochrane,	Levang,	Thexton,
Davis,	Logan,	Thompson,
Deans,	McArthur.	Towers,
Ebbighausen,	McCanna,	Tufts,
Elliott,	McCulloch,	Ueland,
Hagen,	McLean,	Veeder,
Hall,	Newman,	Wallen,
Hallum,	O'Keefe,	Wineman,
Halvorson,	Oksendahl,	Wishek,
Haugen,	Oliver,	Wright,
Havrevold,	Pierce,	Yegen,
Hodgson,	Plain,	Mr. Speaker.
Holliday,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Hurley,	Lohnes,	Ritter.
Lee,		

So the bill as amended passed and the title was agreed to.

Mr. Ueland moved

That the vote by which House Bill No. 7 passed be reconsidered and the motion to reconsider be laid on the table,

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, February 17, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith
House Bill No. 58,

A bill for an act repealing chapter 40 of the Political Code of 1877, relating to public education; chapter 14 of the Session Laws of 1879, being an act to establish a public school law for Dakota Territory; chapter 24 of the Laws of 1881, being an act to empower school districts to issue bonds for building school houses; chapter 64 of the Laws of 1881, being an act to amend an act entitled "An act to establish a public school law for Dakota Territory," approved February 22, 1879; chapter 65 of the Laws of 1881, being an act to amend sections 8 and 29 of an act to establish a public school law for Dakota Territory, approved February 22, 1879; chapter 66 of the Laws of 1881, being an act to amend section 17 and section 18 of chapter 14 of the Laws of 1879; chapter 67 of the Laws of 1881, being an act to amend section 40 of an act to establish a public school law for Dakota Territory; chapter 68 of the Laws of 1881, being an act to amend section 40 of an act to establish a public school law for Dakota Territory; chapter 69 of the Laws of 1881, being an act making provisions for the schooling of children living in any organized district; chapter 44 of the Laws of 1883, being an act to establish and provide for the maintenance of a general and uniform system of common schools and improve their usefulness; chapter 46 of the Laws of 1883, being an act to create the office of Assistant Superintendent of Public Instruction, and to provide for his salary and proper expenses; chapter 49 of the Laws of 1885, being an act to amend chapter 44 of the Session Laws of 1883, entitled "Education;" chapter 50 of the Laws of 1885, being an act to amend chapter 45 of the Laws of 1885, empowering school townships to issue their bonds for building and furnishing school houses; chapter 51 of the Laws of 1885, being an act to amend section 9 of chapter 45 of the Laws of Dakota for 1883; chapter 44 of the Laws of 1887, being an act entitled "An act to require teachers of public schools to keep a record of the visits of county superintendents;" chapter 45 of the Laws of 1887, being an act to provide for the registration and payment of warrants drawn by the secretary and treasurer of boards of education in this territory and to prescribe the rate of interest thereon; chapter 46 of the Laws of 1887, being an act to amend sections 46 and 66 of chapter 44 of the General Laws of 1883; chapter 47 of the Laws of 1887, being an act to amend chapter 44 of the Session Laws of 1883, relating to education,

Also,

House Bill No. 115,

A bill for an act to amend section 56 of the Code of Civil Pro-

cedure, being section 4852 of the Compiled Laws of 1887, providing for the limitations of time in which to commence certain civil actions,

Also,
House Bill No. 72,

A bill for an act to amend subdivision 5 of section 24 of chapter 120 of the Laws of 1891, regulating appeals from the district court to the Supreme Court,

Also,
House Bill No. 45,

A bill for an act to define the jurisdiction of the district court and the powers of the judges thereof and to regulate the exercise of such powers,

Which the Senate has passed unchanged.

Respectfully,
FRED FALLEY,
Secretary.

House Bill No. 112,

A bill for an act authorizing county commissioners to use moneys belonging to road and bridge funds for reclaiming waste lands, etc.,

Was read the third time.

Mr. Boynton moved
That the House do now adjourn,
Which motion was lost.

The question being upon the final passage of the bill.

The roll being called there were ayes 44, nays 5.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Johnson of G'd Forks,	Sanford,
Bentley,	Johnston,	Satterlund,
Boynton,	Kelly,	Severson,
Burkhardt,	Larson,	Simpson,
Caldwell,	Lee,	Strom,
Cochrane,	Logan,	Thompson,
Davis,	McArthur,	Towers,
Deans,	McCanna,	Ueland,
Ebbighausen,	McCulloch,	Veeder,
Hagen,	Newman,	Wallen,
Hallum,	O'Keefe,	Wineman,
Halvorson,	Oksendahl,	Wright,
Horgan,	Oliver,	Yegen,
Hurley,	Pierce,	Mr. Speaker.
James,	Rinde,	

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Bullard,	Johnson of Sargent,	Thexton.
Holliday,	Plain,	

Absent and not voting:

Messrs—

Churchill,
Elliott,
Hall,
Haugen,
Havrevold,

Messrs—

Hodgson,
Levang,
Lohnes,
McLean,

Messrs—

Ritter,
Southard,
Tufts,
Wishek.

So the bill passed and the title was agreed to.

Mr. Davis moved

That the House do now adjourn,

Which motion prevailed, and

The House adjourned.

J. G. HAMILTON,
Chief Clerk.

FORTY-SEVENTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 18, 1893.

The House assembled at 10 o'clock a. m., pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All members present.

The committee to revise and correct the Journal made the following report:

MR. SPEAKER:

Your committee to revise and correct the Journal have examined the same and report the Journal of the House proceedings of the forty-sixth day to be correct.

D. C. TUFTS,
Chairman.

There being no objection, the report was adopted and the Journal approved.

REPORTS OF STANDING COMMITTEES.

The Committee on Education made the following report:

MR. SPEAKER:

Your Committee on Education, to whom was referred House Bill No. 156,

A bill for an act to amend section 72 of chapter 62 of the Laws of 1890, and sections 17 and 18 of chapter 56 of the Laws of 1891,

Have had the same under consideration and recommend that the same be amended as follows:

Strike out in section 2, line 1, the words "(and 18);" also, same section,

line 22, the words "(three-fourths)" and insert in lieu thereof the words "two-thirds;" also, in same section, strike out all after line 25.

And when so amended, recommend that the same do pass.

JOHN LOGAN,
Chairman.

Mr. Strom moved
That the report be adopted,
Which motion prevailed.

The Committee on Public Health made the following report:

MR. SPEAKER:

Your Committee on Public Health, to whom was referred
House Bill No. 108,

A bill for an act to provide for the collection of vital statistics,
Have had the same under consideration and recommend that
the same do pass.

Also,

House Bill No. 94,

A bill for an act to establish city boards of health,
and recommend that the same be amended as follows:

In section 1, line 3, of the original bill, after the word "in," insert the words "April, 1893, and in;" after the word "year," insert the word "thereafter;" in line 19, after the word "in," insert the words "April, 1893, and in," and after the word "year," same line, insert the word "thereafter;" in line 20, change 1894 to read 1895, and adding to the original bill the emergency clause, Whereas, An emergency exists in this, that there is no adequate law for the establishment of boards of health in cities, and it is important that power be conferred upon such cities to establish such boards, prior to July 1, 1893, this act shall take effect and be in force from and after its approval.

And when so amended, recommend that the same do pass.

A. V. BENEDICT,
Chairman.

Mr. Benedict moved
That the report be adopted,
Which motion prevailed.

The Committee on Appropriations made the following report:

MR. SPEAKER:

Your Committee on Appropriations, to whom was referred
Senate Bill No. 121,

A bill for an act to provide for the erection and construction of
the south wing of the Capitol, for the issuance and sale of \$50,000
of bonds, and for the appraisement and sale of the lands granted
the State for the purpose of erecting public buildings at the
Capital,

Have had the same under consideration and recommend that
the same do pass.

WM. A. BENTLEY,
Chairman.

The Committee on Enrolled Bills made the following report:

MR. SPEAKER:

Your Committee on Enrolled Bills have examined
House Bill No. 99,

A bill for an act to amend sections 2, 5, and 13 of chapter 165 of the Laws of 1890, entitled "An act to establish government and maintenance of a soldiers' home,"

And find the same correctly enrolled.

ARNE P. HAUGEN,
Chairman.

The courtesies of the floor were extended to Hans Odegard, J. H. Vosburg, Mr. Norgard and W. E. Patterson.

The Judiciary Committee made the following report:

MR. SPEAKER:

Your Judiciary Committee, to whom was referred
Senate Bill No. 26,

A bill for an act to amend sections 2, 3, 4, 5 and 6 of chapter 81, Laws of 1890, relating to the boundaries and subdivisions of the First Judicial District, and fixing the terms of court to be held therein,

Have had the same under consideration and recommend that the same do pass.

SETH NEWMAN,
Chairman.

Mr. Hurley moved

That House Bill No. 124 be taken from general orders, and that the report of the committee be adopted,

Which motion prevailed.

The Committee on Railroads made the following report:

MR. SPEAKER:

Your Committee on Railroads, to whom was referred
House Bill No. 74,

A bill for an act to require all railways in this State to run a train for freight and passenger traffic over their roads and all lines and branches thereof during each week day of the year,

Have had the same under consideration and recommend that the same be amended as follows:

Section 1, line 2, after the word "State" to insert "which have been constructed for at least four years;" in line 4, after the word "trains," insert "except through trains."

Section 2, line 2, after the word "storm," insert "or any other unavoidable accident."

And when so amended recommend that the same do pass.

Also,

House Bill No. 174,

A bill for an act fixing the maximum rates that railroad com-

panies may charge for the transportation of coal mined within the State of North Dakota,

And recommend that the same be amended as follows:

In line 7 of printed bill strike out the figures "\$1.25" and insert in lieu thereof "\$1.00."

In line 9 of printed bill strike out the figures "\$1.50" and insert in lieu thereof "\$1.35."

In line 10 of printed bill strike out the figures "\$1.75" and insert in lieu thereof "\$1.50."

In line 12 of printed bill strike out the figures "\$1.95" and insert in lieu thereof "\$1.85."

In line 15 of printed bill strike out the figures "\$2.35" and insert in lieu thereof "\$2.25."

In line 16 of printed bill strike out the figures "\$2.50" and insert in lieu thereof "\$2.35."

Section 3 to read: "It shall be the duty of the Attorney General and state's attorneys to have enforced the provisions of this act in the name of the State of North Dakota."

And when so amended recommend that the same do pass.

Also,

House Bill No. 17,

A bill to fix all railroad rates of fare for passenger travel at not over three cents per-mile and to prescribe a penalty for exacting or receiving a greater rate.

And recommend that the same do not pass.

O. A. BOYNTON.
Chairman.

Mr. McCulloch moved

That House Bill No. 170 be taken from general orders, and that the report of the committee be adopted,

Which motion prevailed.

Mr. Elliott moved

That House Bill No. 24 be placed in general orders,

Which motion prevailed.

The Committee on Railroads made the following report:

MR. SPEAKER:

Your Committee on Railroads, to whom was referred

House Bill No. 162,

A bill for an act to fix the maximum rates that railroad companies may charge for the transportation of coal mined within the State of North Dakota,

Have had the same under consideration and recommend that the same be indefinitely postponed.

Also,

House Bill No. 157,

A bill for an act granting right-of-way to railroad companies through public lands,

And recommend that the same be amended as follows:

Section 2, line 1, after the word "school," insert "or State."

Section 2, line 3, after the word "treasurer," insert the following: "The appraised value thereof, but in no case any sum less than ten dollars per acre."

Section 3, line 2, by striking out "30" and inserting in lieu thereof "90,"

And when so amended recommend that the same do pass.

O. A. BOYNTON,
Chairman.

Mr. Oliver moved
That the report of the committee be adopted,
Which motion prevailed,
And the amendments were adopted.

The Committee on School and Public Lands made the following report:

MR. SPEAKER:

Your Committee on School and Public Lands, to whom was referred

Senate Concurrent Resolution,

Proposing an amendment to section 162 of article 9 of the Constitution of the State of North Dakota,

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 37,

A bill for an act to provide for an executive agent for the Board of University and School Lands,

And recommend that the same be indefinitely postponed.

D. C. TUFTS,
Chairman.

Mr. Ueland moved
That House Bill No. 34 be referred to general orders,
Which motion prevailed.

INTRODUCTION OF BILLS, JOINT RESOLUTIONS AND MEMORIALS.

Mr. Plain introduced—

House Bill No. 220,

A bill for an act to require the school district treasurers to deposit district funds in designated depositories,

Which was read the first time.

Mr. Southard introduced—

House Bill No. 221,

A bill for an act to amend the law relating to exemptions by amending sections 322 and 325 and repealing section 324 of the Code of Civil Procedure,

Which was read the first and second times and referred to the Judiciary Committee.

Mr. Caldwell moved
That House Bill No. 221 be indefinitely postponed.

Mr. Strom moved
As a substitute that House Bill No. 221 be referred to the
Judiciary Committee,
Which substitute motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, February 18, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith
House Bill No. 13,

A bill for an act prescribing the qualifications of deputies,
clerks and employes of the State, county and municipal govern-
ments of and within the State of North Dakota,

Which the Senate has passed with the following amendments:

That at the end of line 5 of the printed bill, after the word "or," the word
"who" shall be inserted: and in line 6 the word "male" shall be stricken out.

Also,

House Bill No. 101,

A bill for an act entitled "An act fixing the manner of trans-
ferring interest in real estate by corporations,"

Which the Senate has passed with the following amendments:

That in line 4, section 2, after the word "instruments," the words "when
authorized by resolution of the board of directors" be inserted,

And your concurrence therein is respectfully requested.

Respectfully,

FRED FALLEY,
Secretary.

Mr. Speaker substituted Mr. Elliott for Mr. Oliver on Joint
Committee on Illuminating Oil.

Mr. Southard introduced—

House Bill No. 222,

A bill for an act to amend section 78 of chapter 132 of the
Laws of 1890,

Which was read the first time.

Mr. Halvorson introduced—

House Bill No. 223,

A bill for an act providing for the destruction of weeds along
the public highways,

Which was read the first time.

Mr. Deans introduced—

House Bill No. 224,

A bill for an act providing for the compilation, revision and codification of the Laws of North Dakota and the publication and distribution and sale thereof, and to repeal chapter 82 of the Laws of 1891, in relation thereto,

Which was read the first time.

Mr. Deans moved—

That the rules be suspended and that House Bill No. 224 have its first and second reading and be referred to a special Joint Committee, four from the House and three from the Senate,

Which motion prevailed.

Mr. Bentley introduced—

House Bill No. 225,

A bill for an act to amend section 3 of chapter 100 of the Laws of 1891, entitled "Revenue and Taxation,"

Which was read the first time.

Mr. Ueland introduced—

House Bill No. 226,

A bill for an act to repeal section 5 of chapter 128 of the General Laws of 1891, entitled "An act to provide for the collection, arrangement and display of the products of the State of North Dakota at the World's Columbian Exposition,

Which was read the first time.

Mr. Veeder introduced—

House Bill No. 227,

A bill for an act to authorize one or more towns to employ a family physician,

Which was read the first time.

Mr. Satterlund introduced—

House Bill No. 228,

A bill for an act to prevent property from escaping taxation through technical defects,

Which was read the first time.

Mr. Tufts introduced—

House Bill No. 229,

A bill for an act to enable land owners of lands to drain and reclaim them, prescribing the powers and duties of county commissioners and other officers in the premises, and to provide for repairing and enlarging such drains,

Which was read the first time.

Mr. Hodgson introduced (by request)—

House Bill No. 230,

A bill for an act relating to the receiving and handling of grain and other products by railroad companies,

Which was read the first time.

Mr. Churchill introduced—

House Bill No. 231,

A bill for an act prescribing the duties of county treasurers and to provide for the care and safe keeping of public funds,
Which was read the first time.

Substitute for House Bills Nos. 49 and 202,

A bill for an act to regulate commercial agencies, credit companies and guarantee associations,
Was read the first and second times.

Mr. McCanna moved

That the House concur in the Senate amendment to House Bill No. 13,

Which motion prevailed.

Mr. Wineman moved

That the House concur in the Senate amendment to House Bill No. 101,

Which motion prevailed.

The question being upon the final passage of House Bill No. 13,

A bill for an act prescribing the qualifications of deputies, clerks and employes of the State, county and municipal governments of and within the State of North Dakota,
As amended by the Senate.

The roll being called there were ayes 57, nays none.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Holliday,	Plain,
Bentley,	Horgan,	Rinde,
Boynton,	Hurley,	Ritter,
Bullard,	James,	Sanford,
Burkhardt,	Johnson of Sargent,	Satterlund,
Caldwell,	Johnson of G'd Forks,	Severson,
Churchill,	Johnston,	Simpson,
Cochrane,	Kelly,	Strom,
Davis,	Larson,	Thexton,
Deans,	Lee,	Thompson,
Ebbighausen,	Levang,	Towers,
Elliott,	Logan,	Tufts,
Hagen,	McArthur,	Ueland,
Hall,	McCanna,	Veeder,
Hallum,	McCulloch,	Wallen,
Halvorson,	McLean,	Wineman,
Haugen,	Newman,	Wright,
Havrevold,	O'Keefe,	Yegen,
Hodgson,	Oliver,	Mr. Speaker.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Lohnes,	Pierce,	Wishek.
Oksendahl,	Southard,	

So the bill as amended passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, February 18, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith

Concurrent Resolution providing that the Legislative Assembly shall have no power to authorize lotteries or gift enterprises for any purpose, and shall pass laws to prohibit the sale of lottery or gift enterprise tickets,

Which the Senate has passed unchanged.

Respectfully,
FRED FALLEY,
Secretary.

The question being upon the passage of
House Bill No. 101,

A bill for an act entitled "An act fixing the manner of transferring interest in real estate by corporations,"

As amended by the Senate.

The roll being called there were ayes 54, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Horgan,	Plain,
Bentley,	Hurley,	Rinde,
Bullard,	James,	Ritter,
Burkhardt,	Johnson of Sargent,	Sanford,
Caldwell,	Johnson of G'd Forks,	Severson,
Churchill,	Johnston,	Simpson,
Cochrane,	Kelly,	Southard,
Davis,	Larson,	Strom,
Deans,	Levang,	Thexton,
Ebbighausen,	Logan,	Thompson,
Elliott,	Lohnes,	Tufts,
Hagen,	McArthur,	Ueland,
Hall,	McCulloch,	Veeder,
Halvorson,	McLean,	Wallen,
Haugen,	Newman,	Wineman,
Havrevold,	O'Keefe,	Wright,
Hodgson,	Oksendahl,	Yegen,
Holliday,	Oliver,	Mr. Speaker.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	McCanna,	Towers,
Hallum,	Pierce,	Wishek.
Lee,	Satterlund,	

So the bill as amended passed and the title was agreed to.

Mr. Speaker appointed as Special Joint Committee on the part of the House on House Bill No. 224 Messrs. Deans, Newman, McCulloch and Wineman.

SECOND READING OF HOUSE BILLS.

House Bill No. 215,

A bill for an act to facilitate the shipment of grain,
Was read the second time and referred to the Committee on
Warehouses, Grain Grading and Dealing.

House Bill No. 216,

A bill for an act providing for the separation and organization
of fractional townships when connected in civil township organi-
zation with full congressional townships,
Was read the second time and referred to the Committee on
Municipal Corporations.

House Bill No. 217,

A bill for an act to authorize cities to empty sewerage into rivers
within this State,
Was read the second time and referred to the Committee on
Municipal Corporations.

House Bill No. 219,

A bill for an act to amend section 95 of the Code of Criminal
Procedure, being section 7120 of the Compiled Laws,
Was read the second time and referred to the Judiciary Com-
mittee.

MOTIONS AND RESOLUTIONS.

Mr. McCanna moved

To take House Bill No. 130 from general orders and that the
report of the committee be adopted,
Which motion prevailed.

Mr. Strom moved

That House Bill No. 41 be taken from general orders,
Which motion prevailed.

Mr. Strom moved

That the report of the Committee on House Bill No. 41 be
adopted,
Which motion prevailed.

Mr. McCanna moved

That the report of the committee on House Bill No. 130 be
adopted,
Which motion prevailed.

Mr. Speaker announced his signature to
House Bill No. 99,

A bill for an act to amend sections 2, 5 and 13 of chapter 165
of the Laws of 1890, entitled "An act to establish government
and maintenance of a soldiers' home."

THIRD READING OF HOUSE BILLS.

The Committee on Engrossed Bills made the following report:

MR. SPEAKER:

Your Committee on Engrossed Bills have examined
House Bill No. 127,

A bill for an act to establish an experimental station for the
purpose of irrigation,

And find the same correctly engrossed.

J. DEXTER PIERCE,
Chairman.

House Bill No. 127,

A bill for an act to establish an experimental station for the pur-
pose of irrigation,

Was read the third time and placed upon its final passage.

The question being on the final passage of the bill.

The roll being called there were ayes 40, nays 10.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Horgan,	Ritter,
Bentley,	James,	Sanford,
Boynton,	Johnson of Sargent,	Satterlund,
Bullard,	Johnson of G'd Forks,	Severson,
Burkhardt,	Johnston,	Strom,
Caldwell,	Logan,	Thexton,
Cochrane,	Lohnes,	Towers,
Deans,	McArthur,	Ueland,
Elliott,	McLean,	Veeder,
Hagen,	Newman,	Wineman,
Hall,	O'Keefe,	Wright,
Halvorson,	Oliver,	Yegen,
Haugen,	Plain,	Mr. Speaker.
Havrevold,		

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Ebbighausen,	Larson,	Thompson,
Hallum,	Levang,	Tufts,
Holliday,	Rinde,	Wallen.
Hurley,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Churchill,	Lee,	Pierce,
Davis,	McCanna,	Simpson,
Hodgson,	McCulloch,	Southard,
Kelly,	Oksendahl	Wishek.

So the bill passed and the title was agreed to.

Mr. Ueland moved

That the vote by which House Bill No. 127 passed be reconsid-
ered and that the motion to reconsider be laid on the table,

Which motion prevailed.

House Bill No. 87,

A bill for an act to provide a suitable residence for the Chief Executive of the State of North Dakota,

Was placed on its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 27, nays 18.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Haugen,	Satterlund,
Bentley,	Havrevold,	Southard,
Bullard,	Holliday,	Tufts,
Burkhardt,	Johnson of G'd Forks,	Ueland,
Cochrane,	Logan,	Veeder,
Deans,	McLean,	Wallen,
Elliott,	Oliver,	Wineman,
Hall,	Rinde,	Wishek,
Halvorson,	Sanford,	Yegen.

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Ebbighausen,	Levang,	Strom,
Hagen,	McArthur,	Thexton,
Hallum,	McCulloch,	Thompson,
Hodgson,	O'Keefe,	Towers,
James,	Oksendahl,	Wright,
Johnston,	Plain,	Mr. Speaker.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Caldwell,	Hurley,	Pierce,
Churchill,	Kelly,	Ritter,
Davis,	McCanna,	Severson,
Horgan,	Newman,	Simpson.

And so the bill was lost, a majority of the members-elect not voting therefor.

Mr. Speaker gave notice that he would move a reconsideration of the vote by which House Bill No. 87 was lost.

House Bill No. 3,

A bill for an act repealing an act entitled "An act creating the office of State Superintendent of Irrigation and Forestry, and prescribing the duties thereof,"

Was placed on its final passage.

Mr. Strom moved

That the House take a recess for fifteen minutes,

Which motion was lost.

Mr. Oliver moved

That the further consideration of House Bill No. 3 be indefinitely postponed.

Mr. Wineman moved

As a substitute that the motion to indefinitely postpone be laid upon the table.

Roll call demanded.

• The roll being called there were ayes 31, nays 25.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Johnson of Sargent,	Sanford,
Boynton,	Lee,	Simpson,
Burkhardt,	Lohnes,	Southard,
Davis,	McArthur,	Thexton,
Deans,	McCanna,	Thompson,
Elliott,	McCulloch,	Wineman,
Hagen,	McLean,	Wishek,
Halvorson,	Plain,	Wright,
Holliday,	Rinde,	Yegen,
Hurley,	Ritter,	Mr. Speaker.
James,		

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Bentley,	Hodgson,	Oliver,
Bullard,	Horgan,	Satterlund,
Caldwell,	Johnson of G'd Forks,	Severson,
Churchill,	Johnston,	Strom,
Cochrane,	Larson,	Tufts,
Ebbighausen,	Levang,	Ueland,
Hall,	Logan,	Veeder,
Hallum,	O'Keefe,	Wallen.
Haugen,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Havrevold,	Newman,	Pierce,
Kelly,	Oksendahl,	Towers.

So the motion to lay on the table prevailed.

The question being upon the passage of House Bill No. 3.

Mr. McCulloch moved

That the House take a recess for 15 minutes,

Which motion prevailed.

House reassembled.

The Committee on Enrolled Bills made the following report:

MR. SPEAKER:

Your Committee on Enrolled Bills respectfully report that House Bill No. 99,

An act to amend sections 2, 5 and 13 of chapter 165 of the Laws of 1890, entitled "An act to establish government and maintenance of a soldiers' home,"

Was at the hour of 10:40 a. m. delivered to his Excellency the Governor for approval.

ARNE P. HAUGEN,
Chairman.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

EXECUTIVE CHAMBER, }
February 18, 1893. }

To the Honorable House of Representatives:

GENTLEMEN: I have the honor to inform you that I have this day approved

House Bill No. 99,

An act to amend sections 2, 5 and 13 of chapter 165 of the Laws of 1890, entitled "An act to establish government and maintenance of a soldiers' home,"

Very respectfully,

E. C. D. SHORTRIDGE,
Governor.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER, }
Bismarck, February 18, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith the following

CONCURRENT RESOLUTION.

WHEREAS, The Board of Equalization did, for the years 1890, 1891 and 1892, assess the Northern Pacific Railroad on its roadway, roadbed, rails and rolling stock in the aggregate \$2,500 per mile on its main line, and \$3,500 per mile on its branches; and

WHEREAS, Chapter 135 of the Session Laws of 1890 directs that railroads shall be assessed at their actual value; therefore,

Resolved, That it is the opinion of the Senate, the House concurring, that the Equalization Board of 1893 and 1894 should raise the valuation of said railroad to an aggregate of not less than \$5,000 per mile on its main line and branches.

Which the Senate has passed and your concurrence therein is respectfully requested,

Respectfully,

FRED. FALLEY,
Secretary.

Mr. Speaker appointed Messrs. Wright, Hurley and O'Keefe a committee to notify the Senate that the House was in readiness to receive the Senate in Joint Session to ballot for a United States Senator.

The Sergeant-at-Arms announced the Lieutenant-Governor, members of the Senate and officers thereof, with the House committee escorting, in waiting.

JOINT SESSION.

The Joint Session of the two houses was called to order by the Lieutenant-Governor, the President of the Senate.

The rolls of the respective Houses were called.

All members present.

The Journal of the Joint Session of the forty-sixth legislative day was read.

Mr. Havrevold moved

That the reading of the names be dispensed with,

Which motion prevailed.

There being no objections, the Journal of the Joint Session of the forty-sixth legislative day was approved.

Mr. Cashel moved

That the Joint Session do now proceed to take the fifty-seventh ballot for a United States Senator,

Which motion prevailed, and

The Joint Session proceeded to take the fifty-seventh ballot for a United States Senator.

FIFTY-SEVENTH BALLOT.

The roll being called, there were 93 votes cast; of which Mr. H. F. Miller received 40, Mr. Muir 1, Judge Wallin 27. Mr. Walsh 24, Mr. Roach 1.

Those who voted for Mr. H. F. Miller were:

Messrs. Arnold, Cashel, Day, Gregory, Haggart, Ink, Little, LaMoure, McGillivray, Miller, Palmer, Sorley, Svensrud, Worst, White, Young, Benedict, Bentley, Boynton, Bullard, Burkhardt, Churchill, Cochrane, Davis, Halvorson, Havrevold, Hurley, Larson, Lohnes, Newman, Oliver, Ritter, Satterlund, Simpson, Tufts, Veeder, Wineman, Wishek, Yegen, Mr. Speaker—40.

Those who voted for Judge Wallin were:

Messrs. Enger, Fuller, Hillier, Johnson, Lamb, McCarten, Pinkham, Caldwell, Elliott, Hagen, Hodgson, Johnson of Sargent, Lee, Levang, Logan, McArthur, McCulloch, Pierce, Rinde, Severson, Southard, Strom, Thompson, Towers, Ueland, Wallen, Wright—27.

Those who voted for Mr. Walsh were:

Messrs. Bidlake, Brynjolfson, Burke, Engle, Kinter, McCormack, Patch, Ebbighausen, Hall, Hallum, Haugen, Holliday, Horgan, James, Johnson of Grand Forks, Johnston, Kelly, McCanna, McLean, O'Keefe, Oksendahl, Plain, Sanford, Thexton—24.

Mr. Stevens voted for Mr. Muir.

Mr. Deans voted for Mr. Roach.

Mr. Little moved

That the Joint Session do now proceed to take the fifty-eighth ballot for a United States Senator,

Which motion prevailed, and

The Joint Session proceeded to take the fifty-eighth ballot for a United States Senator.

FIFTY-EIGHTH BALLOT.

The roll being called, there were 93 votes cast, of which Mr. H. F. Miller received 40, Mr. Lamb 38, Mr. Muir 1, Judge Wallin 14.

Those who voted for Mr. H. F. Miller were:

Messrs. Arnold, Cashel, Day, Gregory, Haggart, Ink, Little, LaMoure, McGillivray, Miller, Palmer, Sorley, Svensrud, Worst, White, Young, Benedict, Bentley, Boynton, Bullard, Burkhardt, Churchill, Cochrane, Davis, Halvorson, Havrevold, Hurley, Larson, Lohnes, Newman, Oliver, Ritter, Satterlund, Simpson, Tufts, Veeder, Wineman, Wishek, Yegen, Mr. Speaker—40.

Those who voted for Judge Wallin were:

Messrs. Enger, Fuller, Johnson, Lamb, Pinkham, Haugen, McArthur, Oksendahl, Pierce, Severson, Southard, Strom, Wallen, Wright—14.

Those who voted for Mr. Lamb were:

Messrs. Bidlake, Brynjolfson, Burke, Engle, Hillier, Kinter, McCarten, McCormack, Patch, Caldwell, Deans, Ebbighausen, Elliott, Hagen, Hall, Hallum, Hodgson, Holliday, Horgan, James, Johnson of Sargent, Johnson of Grand Forks, Johnston, Kelly, Lee, Levang, Logan, McCanna, McCulloch, McLean, O'Keefe, Plain, Rinde, Sanford, Thexton, Thompson, Towers, Ueland—38.

Mr. Stevens voted for Mr. Muir.

Mr. Sorley moved

That the Joint Session do now proceed to take the fifty-ninth ballot for a United States Senator,

Which motion prevailed, and

The Joint Session proceeded to take the fifty-ninth ballot for a United States Senator.

FIFTY-NINTH BALLOT.

The roll being called there were 93 votes cast, of which Mr. H. F. Miller received 39, Mr. Roach 40, Judge Wallin 13, Mr. Muir 1.

Those who voted for Mr. Miller were:

Messrs. Arnold, Cashel, Day, Gregory, Haggart, Ink, Little, LaMoure, McGillivray, Miller, Palmer, Sorley, Svensrud, Worst, White, Young; Benedict, Bentley, Boynton, Bullard, Burkhardt, Churchill, Cochrane, Davis, Halvorson, Havrevold, Hurley, Lar-

son, Lohnes, Newman, Oliver, Ritter, Satterlund, Simpson, Tufts, Veeder, Wineman, Wishek, Yegen—39.

Those who voted for Judge Wallin were:

Messrs. Enger, Fuller, Johnson, Pinkham, Haugen, McArthur, Oksendahl, Pierce, Severson, Southard, Strom, Wallen, Wright—13.

Those who voted for Mr. Roach were:

Messrs. Bidlake, Brynjolfson, Burke, Engle, Hillier, Kinter, Lamb, McCarten, McCormack, Patch, Caldwell, Deans, Ebbighausen, Elliott, Hagen, Hall, Hallum, Hodgson, Holliday, Horgan, James, Johnson of Sargent, Johnson of Grand Forks, Johnston, Kelly, Lee, Levang, Logan, McCanna, McCulloch, McLean, O'Keefe, Plain, Rinde, Sanford, Thexton, Thompson, Towers, Ueland, Mr. Speaker—40.

Mr. Stevens voted for Mr. Muir.

Mr. McCormack moved

That the Joint Assembly do now dissolve.

Roll call demanded.

The roll being called there were ayes 51, nays 42.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Bidlake,	Hagen,	McCulloch,
Brynjolfson,	Hall,	McLean,
Burke,	Hallum,	Oksendahl,
Enger,	Halvorson,	Pierce,
Engle,	Haugen,	Plain,
Fuller,	Hodgson,	Rinde,
Hillier,	Holliday,	Sanford,
Johnson,	Horgan,	Severson,
Kinter,	James,	Southard,
Lamb,	Johnson of Sargent,	Strom,
McCarten,	Johnson of G'd Forks,	Thexton,
McCormack,	Johnston,	Thompson,
Patch,	Kelly,	Towers,
Pinkham,	Lee,	Ueland,
Boynton,	Levang,	Wallen,
Caldwell,	Logan,	Wright.
Deans,	McCanna,	

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Arnold,	White,	Lohnes,
Cashel,	Young,	McArthur,
Day,	Benedict,	Newman,
Gregory,	Bentley,	O'Keefe,
Haggart,	Bullard,	Oliver,
Ink,	Burkhardt,	Ritter,
Little,	Churchill,	Satterlund,
LaMoure,	Cochrane,	Simpson,
McGillivray,	Davis,	Tufts,
Miller,	Ebbighausen,	Veeder,
Palmer,	Elliott,	Wineman,

Messrs—

Sorley,
Stevens,
Svensrud,
Worst,

Messrs—

Havrevold,
Hurley,
Larson,

Messrs—

Wishek,
Yegen,
Mr. Speaker.

So the motion to dissolve the Joint Session prevailed, and
The Joint Session dissolved.

J. G. HAMILTON,
Clerk of the Joint Session.

House reassembled.

Mr. Ueland moved

That the House do now take a recess for 15 minutes,
Which motion prevailed.

House called to order.

Mr. Speaker called Mr. Haugen to the chair.

Mr. Speaker moved

That the vote by which House Bill No. 87 was lost be reconsidered and that it be made a special order for Wednesday, February 22d, at 2 o'clock p. m.,
Which motion prevailed.

Mr. Hurley demanded a call of the House.

Call seconded.

Roll call.

All members present except Messrs. Hall, Johnston, Ritter and Tufts.

Mr. Strom moved

That further proceedings under call of the House be dispensed with,
Which motion prevailed.

Mr. Simpson moved

That the rules be suspended and that Senate Bill No. 85 be given its first and second reading and referred to its appropriate committee,
Which motion prevailed.

Which motion prevailed.

The question being upon the passage of

House Bill No. 3,

A bill for an act repealing an act entitled "An act creating the office of State Superintendent of Irrigation and Forestry, and prescribing the duties thereof."

The roll being called there were ayes 29, nays 30.

Those who voted in the affirmative were:

Messrs—

Boynton,
Burkhardt,
Deans,

Messrs—

Levang,
McCanna,
McCulloch,

Messrs—

Simpson,
Thexton,
Thompson.

Messrs—	Messrs—	Messrs—
Ebbighausen,	McLean,	Towers,
Hagen,	Newman,	Wallen,
Hall,	O'Keefe,	Wineman,
Hallum,	Pierce,	Wishek,
Holliday,	Plain,	Wright,
Hurley,	Rinde,	Mr. Speaker.
Johnson of Sargent,	Satterlund,	

Those voting in the negative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hodgson,	McArthur,
Bentley,	Horgan,	Oksendahl,
Bullard,	James,	Oliver,
Caldwell,	Johnson of G'd Forks,	Sanford,
Churchill,	Johnston,	Severson,
Cochrane,	Kelly,	Southard,
Elliott,	Larson,	Strom,
Halvorson,	Lee,	Tufts,
Haugen,	Logan,	Veeder,
Havrevold,	Lohnes,	Yegen.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Davis,	Ritter,	Ueland.

So the bill was lost.

Mr. Caldwell moved

That the vote by which House Bill No. 3 was lost be reconsidered and the motion to reconsider be laid on the table,

Which motion prevailed.

Senate Bill No. 85,

A bill for an act appropriating money from the State Treasury not otherwise appropriated to recompense the county auditor of Stark county for services in making out and extending the tax lists and making abstracts of the same, and in doing and performing all the other acts that the law provides that he shall do and perform in the assessment and collection of State tax in the unorganized counties of Dunn, McKenzie, Wallace, Allred and Hettinger in the years 1891 and 1892,

Was read the first and second times and referred to the Committee on Appropriations.

House Bill No. 117,

A bill for an act to amend sections 56, 57 and 58 of chapter 132 of the Laws of 1890, entitled "An act prescribing the mode of making assessment, and the levy and collection of taxes, and for other purposes relative thereto, in relation to the collection of personal taxes by judgment,"

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 39, nays 14.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Haugen,	O'Keefe,
Bentley,	Havrevold,	Oliver,
Boynton,	Hodgson,	Pierce,
Bullard,	Hurley,	Satterlund,
Burkhardt,	James,	Simpson,
Churchill,	Johnson of G'd Forks,	Strom,
Cochrane,	Johnston,	Tufts,
Deans,	Logan,	Ueland.
Elliott,	Lohnes,	Veeder,
Hagen,	McArthur,	Wineman,
Hall,	McCanna,	Wishek,
Hallum,	McLean,	Yegen,
Halvorson,	Newman,	Mr. Speaker.

Those voting in the negative were:

Messrs—	Messrs—	Messrs—
Caldwell,	Levang,	Thexton,
Holliday,	Oksendahl,	Thompson,
Johnson of Sargent,	Rinde.	Towers,
Kelly,	Sanford,	Wright.
Lee,	Severson,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Davis,	Larson,	Ritter,
Ebbighausen,	McCulloch,	Southard,
Horgan,	Plain,	Wallen.

So the bill passed and the title was agreed to.

Mr. Yegen moved

That the rules be suspended and that Senate Bill No. 121 be recalled from General Orders and placed upon its final passage.

Which motion prevailed.

Mr. Wineman moved

That the rules be suspended and that Senate Bill No. 26 be placed upon its final passage,

Which motion prevailed.

Senate Bill No. 121,

A bill for an act to provide for the erection and construction of the south wing of the Capitol, for the issuance and sale of \$50,000 of bonds and for the appraisal and sale of the lands granted the State for the purpose of erecting public buildings at the Capitol,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 48, nays 6.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hodgson,	Pierce,
Bentley,	Horgan,	Rinde,
Boynton,	Hurley,	Ritter,
Bullard,	James,	Sanford,

Messrs—	Messrs—	Messrs—
Burkhardt,	Johnson of Sargent,	Satterlund,
Caldwell,	Johnson of G'd Forks,	Severson,
Churchill,	Johnston,	Simpson,
Cochrane,	Kelly,	Southard,
Deans,	Larson,	Towers,
Ebbighausen,	Logan,	Ueland,
Elliott,	Lohnes,	Veeder,
Hall,	McCanna,	Wineman,
Hallum,	Newman,	Wishek,
Halvorson,	O'Keefe,	Wright,
Haugen,	Oksendahl,	Yegen,
Havrevold,	Oliver,	Mr. Speaker.

Those voting in the negative were:

Messrs—	Messrs—	Messrs—
Hagen,	McLean,	Thexton,
McCulloch,	Plain,	Thompson.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Davis,	Levang,	Tufts,
Holliday,	McArthur,	Wallen.
Lee,	Strom,	

So the bill passed and the title was agreed to.

Mr. Bentley moved

That the vote by which Senate Bill No. 121 passed be reconsidered and the motion to reconsider be laid on the table,

Which motion prevailed.

House Bill No. 153,

A bill for an act to provide for the payment of the salaries of county officers monthly,

Was read the third time and placed upon its final passage.

The question being on the final passage of the bill.

The roll being called there were ayes 54, nays 4.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hurley,	Ritter,
Bentley,	James,	Sanford,
Boynton,	Johnson of Sargent,	Satterlund,
Burkhardt,	Johnson of G'd Forks,	Simpson,
Caldwell,	Johnston,	Southard,
Cochrane,	Kelly,	Strom,
Deans,	Levang,	Thexton,
Ebbighausen,	Logan,	Thompson,
Elliott,	Lohnes,	Towers,
Hagen,	McCanna,	Tufts,
Hall,	McCulloch	Ueland,
Hallum,	McLean,	Veeder,
Halvorson,	Newman,	Wallen,
Haugen,	O'Keefe,	Wineman,
Havrevold,	Oksendahl,	Wishek,
Hodgson,	Pierce,	Wright,
Holliday,	Plain,	Yegen,
Horgan,	Rinde,	Mr. Speaker.

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Bullard,	Larson,	Severson.
Churchill,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Davis,	McArthur,	Oliver.
Lee,		

So the bill passed and the title was agreed to.

Mr. Yegen moved

That the rules be suspended and that Senate Bill No. 19 be placed upon its final passage.

Roll call demanded.

The roll being called there were ayes 48, nays 5.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hurley,	Oliver,
Bentley,	James,	Pierce,
Boynton,	Johnson of Sargent,	Plain,
Bullard,	Johnson of G'd Forks,	Ritter,
Caldwell,	Johnston,	Severson,
Churchill,	Kelly,	Simpson,
Cochrane,	Larson,	Strom,
Deans,	Logan,	Thexton,
Ebbighausen,	Lohnes,	Towers,
Elliott,	McArthur,	Tufts,
Hagen,	McCanna,	Ueland,
Hall,	McCulloch,	Wallen,
Halvorson,	McLean,	Wineman,
Haugen,	Newman,	Wishek,
Havrevold,	O'Keefe,	Wright,
Holliday,	Oksendahl,	Yegen.

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Burkhardt,	Hodgson,	Veeder.
Hallum,	Horgan,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Davis,	Rinde,	Southard,
Lee,	Sanford,	Thompson,
Levang,	Satterlund,	Mr. Speaker.

So the motion prevailed.

Senate Bill No. 26,

A bill for an act to amend sections 2, 3, 4, 5 and 6 of chapter 81 of the Laws of 1890, relating to the boundaries and subdivisions of the First Judicial district, and fixing the terms of court to be held therein.

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 59, nays none.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hurley,	Plain,
Bentley,	James,	Ritter,
Boynton,	Johnson of G'd Forks,	Sanford,
Bullard,	Johnson of Sargent,	Satterlund,
Burkhardt,	Johnston,	Severson,
Caldwell,	Kelly,	Simpson,
Churchill,	Larson,	Southard,
Cochrane,	Lee,	Strom,
Deans,	Levang,	Thexton.
Ebbighausen,	Logan,	Towers,
Elliott,	Lohnes,	Tufts,
Hagen,	McArthur,	Ueland.
Hall,	McCanna,	Veeder,
Hallum,	McCulloch,	Wallen,
Halvorson,	McLean,	Wineman,
Haugen,	Newman,	Wishek,
Havrevold,	O'Keefe,	Wright,
Hodgson,	Oksendahl,	Yegen,
Holliday,	Oliver,	Mr. Speaker.
Horgan,	Pierce,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Davis,	Rinde,	Thompson.

So the bill passed and the title was agreed to.

House Bill No. 200,

A bill for an act to re-enact section 779 and subdivision 5 of section 2594 of the Civil Code,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 48, nays 4.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	James,	Ritter,
Boynton,	Johnson of Sargent,	Satterlund,
Bullard,	Johnson of G'd Forks,	Severson,
Churchill,	Johnston,	Simpson.
Cochrane,	Kelly,	Southard,
Deans,	Larson,	Strom,
Ebbighausen,	Levang,	Thexton,
Hagen,	Logan,	Towers,
Hall,	Lohnes,	Tufts,
Hallum,	McCanna,	Ueland,
Halvorson,	Newman,	Veeder,
Haugen,	O'Keefe,	Wallen,
Havrevold,	Oliver,	Wishek,
Hodgson,	Pierce,	Wright,
Horgan,	Plain,	Yegen,
Hurley,	Rinde,	Mr. Speaker.

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Caldwell,	Sanford,	Thompson.
McCulloch,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley.	Holliday,	McLean,
Burkhardt,	Lee,	Oksendahl,
Davis,	McArthur,	Wineman.
Elliott,		

So the bill passed and the title was agreed to.

Senate Bill No. 19,

A bill for an act to change the boundaries of the counties of Stark and Mercer.

Mr. Ebbighausen moved
That the House do now adjourn.

Mr. Oliver moved
That when the House adjourns it adjourn to 9:45 o'clock Monday morning,

Which motion was lost.

Mr. Boynton raised the point of order that the question before the House was to adjourn.

Mr. Speaker decided the point of order well taken.

The question being upon the motion that the House no now adjourn,

The motion was lost.

Senate Bill No. 19,

A bill for an act to change the boundaries of the counties of Stark and Mercer,

Was read the third time and placed on its final passage.

The question being on the final passage of the bill.

The roll being called there were ayes 46, nays 6.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Johnson of Sargent,	Plain,
Boynton,	Johnson of G'd Forks,	Ritter,
Bullard,	Johnston,	Severson,
Caldwell,	Kelly,	Simpson,
Churchill,	Larson,	Southard,
Cochrane,	Levang,	Strom,
Ebbighausen,	Logan,	Thexton,
Elliott,	McArthur,	Towers,
Hagen,	McCanna,	Tufts,
Hall,	McLean,	Ueland,
Halvorson,	Newman,	Wallen,
Havrevold,	O'Keefe,	Wineman
Holliday,	Oksendahl.	Wishek,

Messrs—	Messrs—	Messrs—
Horgan,	Oliver,	Wright,
Hurley,	Pierce,	Yegen.
James,		

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Bentley,	Haugen,	Veeder,
Burkhardt,	Rinde,	Mr. Speaker.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Davis,	Lee,	Satterlund,
Deans,	Lohnes,	Thompson,
Hallum,	McCulloch,	Veeder.
Hodgson,	Sanford,	

So the bill passed and the title was agreed to.

Mr. Simpson moved

That the vote by which Senate Bill No. 19 was passed be reconsidered and that the motion to reconsider be laid upon the table, Which motion prevailed.

House Bill No. 53,

A bill for an act to amend section 6 of chapter 62 of the Laws of 1890, relating to the University of North Dakota,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 51, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Johnson of Sargent,	Satterlund,
Bullard,	Johnson of G'd Forks,	Severson,
Caldwell,	Johnston,	Simpson,
Churchill,	Kelly,	Southard,
Cochrane,	Larson,	Strom,
Deans,	Levang,	Thexton,
Ebbighausen,	Logan,	Thompson,
Hagen,	McCanna,	Towers,
Hallum,	McLean,	Tufts,
Halvorson,	Newman,	Ueland,
Haugen,	O'Keefe,	Veeder,
Havrevold,	Oksendahl,	Wallen,
Hodgson,	Oliver,	Wineman,
Holliday,	Pierce,	Wishek,
Horgan,	Plain,	Wright,
Hurley,	Rinde,	Yegen,
James,	Sanford,	Mr. Speaker.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Elliott,	McArthur,
Boynton,	Hall,	McCulloch,
Burkhardt,	Lee,	Ritter.
Davis,	Lohnes,	

So the bill passed and the title was agreed to.

Mr. Havrevold moved
That the House do now adjourn,
Which motion was lost.

House Bill No. 139,

A bill for an act to amend section 62 of chapter 132 of the Laws of 1890, and to add another section thereto regulating fees of officers under said act,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 50, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Johnson of G'd Forks,	Satterlund,
Bullard,	Johnston,	Severson,
Caldwell,	Kelly,	Simpson,
Churchill,	Larson,	Southard,
Cochrane,	Levang,	Strom,
Deans,	Logan,	Thexton,
Hagen,	McArthur,	Thompson,
Hall,	McCanna,	Towers,
Hallum,	McCulloch,	Tufts,
Halvorson,	McLean,	Ueland,
Haugen,	Newman,	Veeder,
Hodgson,	O'Keefe,	Wallen,
Holliday,	Oliver,	Wineman,
Horgan,	Pierce,	Wishek,
Hurley,	Plain,	Wright,
James,	Rinde,	Yegen.
Johnson of Sargent,	Sanford,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Ebbighausen,	Lohnes,
Boynton,	Elliott,	Oksendahl,
Burkhardt,	Havrevold,	Ritter,
Davis,	Lee,	Mr. Speaker.

So the bill passed and the title was agreed to.

House Bill No. 120,

A bill for an act to amend sections 1, 6, 8, 13 and 14 of chapter 161 of the Session Laws of 1890, creating an institute for the education of the deaf and dumb of North Dakota, and providing for its support and management,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 49, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Johnson of G'd Forks,	Sanford,
Bentley,	Johnston,	Satterlund,
Bullard,	Kelly,	Severson,
Caldwell,	Larson,	Southard,

Messrs—	Messrs—	Messrs—
Churchill,	Levang,	Strom,
Cochrane,	Logan,	Thexton,
Deans,	McCanna,	Towers,
Hagen,	McCulloch,	Tufts,
Hall,	McLean,	Ueland,
Hallum,	Newman,	Veeder,
Haugen,	O'Keefe,	Wallen,
Hodgson,	Oliver,	Wineman,
Holliday,	Pierce,	Wishek,
Horgan,	Plain,	Wright,
Hurley,	Rinde,	Yegen,
James,	Ritter,	Mr. Speaker.
Johnson of Sargent,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Halvorson,	McArthur,
Burkhardt,	Havrevold,	Oksendahl,
Davis,	Lee,	Simpson,
Ebbighausen,	Lohnes,	Thompson.
Elliott,		

So the bill passed and the title was agreed to.

Mr. Ueland moved

That the rules be suspended and that House Bill No. 226 be read the second time,

Which motion prevailed, and
House Bill No. 226,

A bill for an act to repeal section 5 of chapter 128 of the General Laws of 1891, entitled "An act to provide for the collection, arrangement and display of the products of the State of North Dakota at the World's Columbian Exposition in 1893,"

Was read the second time.

House Bill No. 208,

A bill for an act to repeal a special act of the Laws of 1885 entitled "An act establishing independent school district of Walcott, Richland county, Dakota Territory,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 52, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Johnson of Sargent,	Satterlund,
Bentley,	Johnson of G'd Forks,	Sanford,
Bullard,	Johnston,	Severson,
Burkhardt,	Kelly,	Simpson,
Caldwell,	Larson,	Southard,
Churchill,	Levang,	Strom,
Cochrane,	Logan,	Thexton,
Deans,	McCanna,	Thompson,
Hagen,	McCulloch,	Towers,
Hall,	McLean,	Tufts,

Messrs—	Messrs—	Messrs—
Hallum,	Newman,	Ueland,
Halvorson,	O'Keefe,	Wallen,
Haugen,	Oliver,	Wineman,
Hodgson,	Pierce,	Wishek,
Hollidaay,	Plain,	Wright,
Horgan,	Rinde,	Yegen,
Hurley,	Ritter,	Mr. Speaker.
James,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Havrevold,	McArthur,
Davis,	Lee,	Oksendahl,
Ebbighausen,	Lohnes,	Veeder.
Elliott,		

So the bill passed and the title was agreed to.

House Bill No. 204,

A bill for an act to amend chapter 71 of the Laws of 1891, relative to wolf bounty,

Was read the third time.

Mr. Oliver asked unanimous consent to amend House Bill No. 204 by striking out the word "shall" and inserting "may in their discretion,"

Which consent was granted.

The question being upon the passage of the bill as so amended.

The roll being called there were ayes 30, nays 17.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	James,	Plain,
Bullard,	Johnson of G'd Forks,	Satterlund,
Caldwell,	Johnston,	Strom,
Churchill,	Larson,	Tufts,
Deans,	Logan,	Ueland,
Hagen,	McCanna,	Wallen,
Hall,	McLean,	Wineman,
Halvorson,	Newman,	Wright,
Horgan,	O'Keefe,	Yegen,
Hurley,	Oliver,	Mr. Speaker.

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Cochrane,	McCulloch,	Southard,
Haugen,	Pierce,	Thexton,
Hodgson,	Rinde,	Thompson,
Holliday,	Ritter,	Towers,
Johnson of Sargent,	Sanford,	Wishek.
Levang,	Severson,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Elliott,	Lohnes,
Boynton,	Hallum,	McArthur,
Burkhardt,	Havrevold,	Oksendahl,
Davis,	Kelly,	Simpson,
Ebbighausen,	Lee,	Veeder.

So the bill was lost, a majority of the members-elect not voting therefor.

The Committee on Engrossed Bills made the following report:
MR. SPEAKER:

Your Committee on Engrossed Bills have examined
House Bill No. 4,

A bill for an act entitled "An act creating the office of State Board of Auditors, and prescribing the duties thereof,"

Also,
House Bill No. 43,

A bill for an act to appropriate money to reimburse the Soldiers' Home Board for expenses incurred, including clerk hire,

Also,
House Bill No. 53,
A bill for an act to amend section 6 of chapter 62 of the Laws of 1890, relating to the University of North Dakota.

Also,
House Bill No. 139,
A bill for an act to amend section 62 of chapter 132 of the Laws of 1890 and to add another section thereto, regulating fees of officials under said act,

Also,
House Bill No. 204,
A bill for an act to amend chapter 71 of the Laws of 1891,

Also,
House Bill No. 208,
A bill for an act to repeal a special act of the Laws of 1885 entitled "An act establishing independent school district of Walcott, Richland county, Dakota Territory,"

Also,
House Bill No. 200,
A bill for an act to re-enact section 779 and subdivision 5 of section 2594 of the Civil Code,

Also,
House Bill No. 188,
A bill for an act to amend section 1429 of the Compiled Laws, relating to fees of witnesses,

Also,
House Bill No. 57,
A bill for an act defining the powers and prescribing the duties of the Secretary of State,

Also,
House Bill No. 153,
A bill for an act to provide for the payment of the salaries of county officers monthly,

Also,

House Bill No. 117,

A bill for an act to amend sections 56, 57 and 58 of chapter 132 of the Laws of 1890, entitled "An act prescribing the mode of making assessment and the levy and collection of taxes, and for other purposes relative thereto," in relation to the collection of personal taxes by judgment,

Also,

House Bill No. 104,

A bill for an act to amend chapter 128 of the Session Laws of 1891, entitled "An act to provide for the collection, arrangement and display of the products of the State of North Dakota at the World's Columbian Exposition of 1893," by adding two lady commissioners to the board therein provided for, so as to better aid educational display and woman's department at the coming Columbian Exposition.

And find the same correctly engrossed.

J. DEXTER PIERCE,
Chairman.

Mr. Ueland moved

That the consideration of House Bill No. 104 be deferred until next Monday,

Which motion prevailed.

House Bill No. 188,

A bill for an act to amend section 1429 of the Compiled Laws, relating to the fees of witnesses,

Was read the third time and placed upon its final passage.

The question being on the final passage of the bill.

The roll being called there were ayes 43, nays 4.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Johnson of G'd Forks,	Severson,
Boynton,	Johnston,	Simpson,
Bullard,	Kelly,	Southard,
Burkhardt,	Larson,	Strom,
Churchill,	Levang,	Thexton,
Hall,	Logan,	Tufts,
Hallum,	McCanna,	Ueland,
Halvorson,	McLean,	Veeder,
Haugen,	Newman,	Wallen,
Hodgson,	O'Keefe,	Wineman,
Holliday,	Oliver,	Wishek,
Horgan,	Pierce,	Wright,
Hurley,	Plain,	Yegen,
James,	Satterlund,	Mr. Speaker.
Johnson of Sargent,		

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
McCulloch,	Sanford,	Towers.
Rinde,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Ebbighausen,	Lohnes,
Caldwell,	Elliott,	McArthur,
Cochrane,	Hagen,	Oksendahl,
Davis,	Havrevold,	Ritter,
Deans,	Lee,	Thompson.

So the bill passed and the title was agreed to.

Mr. Boynton moved

That when the House adjourns it adjourned until Monday, at 11:45 o'clock a. m.,

Which motion was lost.

Mr. Johnson of Grand Forks moved

That the House do now adjourn,

Which motion was lost.

House Bill No. 175,

A bill for an act to amend sections 1 and 2 of chapter 1 of the Laws of 1889, entitled "An act to provide security to the public against errors, omissions and defects in abstracts of real estate,"

Was read the third time.

Mr. Southard asked unanimous consent to add the following amendment to House Bill No. 175:

Add after the word "conducted" on line 11 of the printed bill, the following: "Or abstracting from said books all data necessary for the preparation of abstracts."

Which consent was granted and the bill was so amended.

The question being upon the passage of the bill as so amended.

The roll being called there were ayes 27, nays 9.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Levang,	Severson,
Bullard,	McCanna,	Simpson,
Hagen,	McCulloch,	Southard,
Hallum,	Newman,	Strom,
Halvorson,	Oliver,	Ueland,
Hodgson,	Pierce,	Wallen,
Hurley,	Rinde,	Wineman,
Johnson of Sargent,	Sanford,	Wishek,
Larson,	Satterlund,	Mr. Speaker.

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Haugen,	James,	Thexton,
Holliday,	Johnson of G'd Forks,	Tufts,
Horgan,	Plain,	Wright.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Hall,	O'Keefe,
Boynton,	Havrevold,	Oksendahl,

Messrs—	Messrs—	Messrs—
Burkhardt,	Johnston,	Plain,
Caldwell,	Kelly,	Ritter,
Churchill,	Lee,	Thexton,
Cochrane,	Logan,	Thompson,
Davis,	Lohnes,	Towers,
Deans,	McArthur,	Veeder,
Ebbighausen,	McLean,	Yegen.
Elliott,		

So the bill was lost, a majority of the members-elect not voting therefor.

The Committee on Engrossed Bills made the following report:

MR. SPEAKER:

Your Committee on Engrossed Bills have examined
House Bill No. 120,

A bill for an act to amend sections 1, 6, 8, 13 and 14 of chapter 161 of the Session Laws of 1890, creating an institute for the education of the deaf and dumb of North Dakota, and providing for its support and management.

Also,
House Bill No. 176,

A bill for an act to allow aliens to acquire real estate and any interest therein in the State of North Dakota upon which a lien, loan of money or other debt is or may be secured, and to dispose of the same, and to repeal all laws and parts of laws in conflict with this act.

Also,
House Bill No. 175,

A bill for an act to amend sections 1 and 2 of chapter 1 of the Laws of 1889, entitled "An act to provide security to the public against errors, omissions and defects in abstracts of real estate."

Also,
House Bill No. 120,

A bill for an act to amend sections 1, 6, 8, 13 and 14 of chapter 161 of the Session Laws of 1890, creating an institute for the education of the deaf and dumb of North Dakota, and providing for its support and management.

And find the same correctly engrossed.

J. DEXTER PIERCE,
Chairman.

Mr. Ueland moved

That the House do now resolve itself into the Committee of the Whole to consider general orders,
Which motion prevailed.

Mr. Speaker called Mr. Boynton to the chair.

When the committee arose the following report was presented:

MR. SPEAKER:

Your Committee of the Whole have had under consideration
House Bill No. 78,

A bill for an act to enable county commissioners to present the listing, assessment, advertisement and selling at tax sales of lots according to their subdivisional description in certain cases,

And recommend the adoption of the following amendment and the passage of the bill as so amended:

By adding to and inserting therein, after the word "townsite," in the fourth line of the printed bill, the words "or addition thereto;" also, by adding and inserting therein, after the word "townsite," in fifth line of printed bill, the word "addition;" also, by adding to and inserting in the title, after the word "bill," the words "for an act."

Also,

House Bill No. 141,

A bill for an act to amend section 75 of chapter 62 of the Laws of 1890, entitled "An act to provide for a uniform system of free public schools throughout the State, and to prescribe penalties for violation of provisions thereof,"

And recommend the adoption of the following report of the Committee on Education and the passage of the bill as amended:

That after the words "be amended," in the fourth line of the original bill, after the title, there be inserted and added the words "and re-enacted;" also, that there be added, after the word "writing," in the last line of the bill, the words following: "And such contract must be executed before such teacher begins to teach in such school. It shall grade the salaries of teachers for the district in accordance with the grades of certificates, and no teacher holding a certificate of a lower grade shall be paid a salary equal to or in excess of that paid to a teacher of a higher grade in the same district."

Also,

House Bill No. 98,

A bill for an act providing for the removal of obstructions to natural waterways,

And recommend the adoption of the following report of the Committee on Agriculture and the passage of the bill as amended:

Amend section 1 line 18 of printed bill, strike out the word "or" before "bridge pier," and after the word "piers" and before the word "as" insert the following: "Jams or valuable timber."

Section 2, strike out all after the fifth line of printed bill.

Also,

House Bill No. 110,

A bill in relation to persons and corporations offering premiums for testing the speed of horses, and to prevent the fraudulent entering of horses to compete for such premiums,

Together with the following amendment:

Strike out all of section 2 after the word "be" in line 3 and insert in lieu thereof "punished by imprisonment in the county jail not to exceed one year or by fine not to exceed one thousand dollars, or both."

And recommend the passage of the bill as so amended.

Also,

House Bill No. 107,

A bill for an act to amend sections 3, 4, 6 and 7 of chapter 68 of the Laws of 1885, being sections 236, 237, 239 and 240 of the Compiled Laws,

And recommend the adoption of the following amendment and the passage of the bill as so amended:

Amendment to House Bill No. 107.—Amend section 3, line 8 of printed bill, by striking out the word "each."

Also,

House Bill No. 163,

A bill for an act prescribing the duties of county commissioners in relation to landmarks and fixing a penalty for removing or defacing the same,

And recommend the adoption of the following amendments:

Strike out the word "five" in line 2 of section 1 and insert in lieu thereof the word "seven."

Add also the following proviso:

Provided, That the county commissioners of any county having less than 5,000 inhabitants may cause such landmarks to be placed as herein specified.

And when so amended recommend the passage of the bill.

Also,

House Bill No. 6,

A bill for an act to amend section 677 of the Code of Civil Procedure, being section 5499 of the Compiled Laws, relating to damages for loss of life.

And recommend that the original bill do pass.

O. A. BOYNTON,
Chairman.

Mr. Ueland moved

That the report of the Committee of the Whole be adopted,
Which motion prevailed.

Mr. Haugen gave notice that he would at some future time move to reconsider the vote by which House Hill No. 175 was lost.

Mr. Strom moved

That the House do now adjourn,
Which motion prevailed, and
The House adjourned.

J. G. HAMILTON,
Chief Clerk.

FORTY-NINTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 20, 1893.

The House assembled at 10 o'clock a. m., pursuant to adjournment.

The House was called to order by J. G. Hamilton, the Chief Clerk, who announced that the Speaker had designated Mr. Haugen to act as Speaker for this day.

Prayer by the Chaplain.

Roll called.

All members present except Mr. Speaker—the Hon. Geo. H. Walsh.

The committee to revise and correct the Journal made the following report:

MR. SPEAKER:

Your committee to revise and correct the Journal have examined the same and report the Journal of the House proceedings of the forty-seventh day to be correct.

D. C. TUFTS,
Chairman.

There being no objection, the report was adopted and the Journal approved.

The courtesies of the floor were extended to Messrs. John Barton, Richard Daily of Ramsey county, A. Brown, Wylie Neilson, Jens Jenson, Wm. Olson, G. B. Vallandigham, Chas. Getchell, Harvey Pray, Chas. Porter, Allic Poiners, E. U. Sarles, J. H. Morins, L. P. N. Murie, James Pendon, J. B. Wagner, Chas. Porter, G. B. Taylor, Mr. Moral and Mr. Wagner.

REPORTS OF STANDING COMMITTEES.

The Committee on Forestry made the following report:

MR. SPEAKER:

Your Committee on Forestry, to whom was referred
The inclosed
Concurrent Resolution,
Have had the same under consideration and recommend that the
same do not pass.

D. W. McLEAN,
Chairman.

A minority of the Committee on Forestry made the following
report:

MR. SPEAKER:

A minority of your Committee on Forestry, to whom was re-
ferred
The Concurrent Resolution,
Have had the same under consideration and recommend that
the same do pass.

JOHN A. DAVIS,
Minority.

The Committee on Taxation and Tax Laws made the following
report:

MR. SPEAKER:

Your Committee on Taxation and Tax Laws, to whom was re-
ferred

House Bill No. 184,

A bill for an act to amend divisions 1 and 2 of section 16 of an
act entitled "An act prescribing the mode of making assessment
and the levy and collection of taxes, and for other purposes rela-
tive thereto,"

Have had the same under consideration and recommend that
the same do pass.

H. C. SOUTHARD,
Chairman.

The Committee on Banks and Banking made the following re-
port:

MR. SPEAKER:

Your Committee on Banks and Banking, to whom was referred
House Bill No. 39,

A bill for an act defining usury and the penalty for taking the
same,

Have had the same under consideration and recommend that
the same do pass.

T. M. ELLIOTT,
Chairman.

Mr. Newman moved
That House Bill No. 39 be referred to general orders,
Which motion prevailed.

The Committee on Taxation and Tax Laws made the following report:

MR. SPEAKER:

Your Committee on Taxation and Tax Laws, to whom was referred

House Bill No. 69,

A bill for an act to amend section 69 of chapter 132 of the Laws of 1890,

Have had the same under consideration and recommend that the same be amended as follows:

By adding the following as section 3:

SECTION 3. Whereas, An emergency exists in this, that there is no provision of law for payment of the salaries herein mentioned, in case of deficiency in the salary fund. *Therefore*, this act shall take effect and be in force from and after its passage and approval,

And when so amended recommend that the same do pass.

H. C. SOUTHARD,
Chairman.

Mr. McCanna moved
To adopt the report on House Bill No. 69,
Which motion prevailed.

The Committee on Taxation and Tax Laws made the following report:

MR. SPEAKER:

Your Committee on Taxation and Tax Laws, to whom was referred

House Bill No. 65,

A bill for an act to amend chapter 48 of the Laws of 1889, amending section 103 of chapter 28, Political Code, as amended by chapter 131 of the Laws of 1890,

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 67,

A bill for an act to amend section 66 and repeal section 67 of chapter 132 of the Laws of 1890,

And recommend that the same be amended as follows:

By striking out the words "thereupon a penalty of 5 per cent. shall immediately accrue," in lines 15 and 16 of original bill, and inserting in lieu thereof the following: "And thereafter said delinquent taxes shall draw interest at the rate of one per cent a month, accruing on the first day of each month."

That the second section of the bill be amended to read as follows:

"On the first day of October in each year the treasurer shall return the tax list of the preceding year to the auditor, and any person desiring to pay delinquent taxes contained in said list shall receive from the auditor a state-

ment of the amount due, and shall pay the said amount to the treasurer, taking his receipt therefor as in other cases, which receipt shall be a full discharge of such tax."

That the title of the bill be amended to read, "A bill for an act to amend sections 66 and 67 of chapter 132, Laws of 1890."

And when so amended recommend that the same do pass.

Also,

House Bill No. 143,

A bill for an act for extension of the time for the payment of the taxes for the year 1892,

And recommend that the same be amended as follows:

By striking out the words "and real estate taxes become delinquent on the first day of May, 1893, on lines 2 and 3 of section 1 of printed bill.

And when so amended recommend that the same do pass.

Also,

House Bill No. 68,

A bill for an act to amend section 74 of chapter 132 of the Laws of 1890,

And recommend that the same be amended as follows:

By inserting and adding after the word "same" in ninth line of section 1, original bill, the words following: "Only one lot or parcel of land shall be included in one certificate unless assessed and taxed to the same person or corporation."

And when so amended recommend that the same do pass.

Also,

House Bill No. 213,

A bill for an act to provide for ascertaining and collecting the just amount to be paid for taxes on property in case of invalidity of tax proceedings,

And recommend that the same do pass.

H. C. SOUTHARD,
Chairman.

The Committee on Public Health made the following report:

MR. SPEAKER:

Your Committee on Public Health, to whom was referred House Bill No. 126,

A bill for an act to define the powers and duties of county and city boards of health and for the prevention and suppression of contagious, infectious and epidemic diseases,

Have had the same under consideration and recommend that the same be amended as follows:

Add to section 19 of the original bill: "*Provided*, That should a physician be called at the instance of such local board of health to attend a person infected with a contagious or infectious disease, it shall be at the expense of such city or county."

And when so amended recommend that the same do pass.

A. V. BENEDICT,
Chairman.

Mr. Benedict moved

That the report of the committee on House Bill No. 126 be adopted,

Which motion prevailed.

The Committee on Banks and Banking made the following report:

MR. SPEAKER:

Your Committee on Banks and Banking, to whom was referred House Bill No. 194,

A bill for an act defining usury and fixing the penalty for taking the same,

Have had the same under consideration and recommend that the same do pass.

T. M. ELLIOTT,
Chairman.

The Committee on Warehousing, Grain and Grain Grading made the following report:

MR. SPEAKER:

Your Committee on Warehousing, Grain and Grain Grading, to whom was referred

House Bill No. 12,

A bill to amend Section 11 of Chapter 126, Session Laws, 1891,

Have had the same under consideration and recommend that the same be amended as follows:

SECTION 11. The charges for storage and handling grain shall not be greater than the following schedule: For receiving, elevating, insuring, delivering and twenty days' storage two (2) cents per bushel, storage rates after the first twenty days one-half ($\frac{1}{2}$) cent for each fifteen days or fraction thereof and shall not exceed five (5) cents for six months; provided, however, that whenever any person stores what is commonly known as special bin, grain to be shipped at the discretion of the elevator company or warehouseman, in no case shall there be any charges for storage; provided, that cars are furnished to or can be obtained by the elevator company for the shipment of the grain. The grain shall be kept insured at the expense of the warehousemen for the benefit of the owner.

And when so amended recommend that the same do pass.

H. S. OLIVER,
Chairman.

Mr. Havrevold moved

That the report of the committee on House Bill No. 12 be adopted,

Which motion prevailed.

The Committee on Coal Lands and Mines made the following report:

MR. SPEAKER:

Your Committee on Coal Lands and Mines, to whom was referred

House Bill No. 34,

A bill for an act to encourage the development of the coal mines of the State, and to determine the kind of coal that shall be used in the various State institutions, county buildings and public schools of the State,

Have had the same under consideration and recommend that the same be amended as follows:

By striking out all after the enacting clause and insert in lieu thereof the bill accompanying this report.

And when so amended recommend that the same do pass.

H. D. HURLEY,
Acting Chairman.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

SENATE CHAMBER, }
Bismarck, February 20, 1893. }

MR. SPEAKER:

I have the honor to inform your honorable body that Mr. President has appointed Senators Cashel and Pinkham as the Senate members of the Joint Committee to whom all matters relating to oil inspection shall be referred.

Respectfully,
FRED FALLEY,
Secretary.

SENATE CHAMBER, }
Bismarck, February 20, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith
Senate Bill No. 20,

A bill for an act making appropriation for maintenance of State University,

Also,
Senate Bill No. 21,

A bill for an act providing for an appropriation for the erection of additional buildings and for the payment of the contingent expenses of the North Dakota Agricultural College at Fargo.

Also,
Senate Bill No. 25,

A bill for an act for an appropriation for the erection of the North Dakota Reform School and for incidental and contingent expenses for the same,

Also,
Senate Bill No. 34,

A bill for an act providing for an appropriation for the current

and contingent expenses of the penitentiary at Bismarck, and for making needed permanent improvements thereat.

Also,

Senate Bill No. 36,

A bill for an act providing for an appropriation for the current and contingent expenses, furnishing and maintenance and for making needed permanent improvements for the Soldiers' Home at Lisbon,

Also,

Senate Bill No. 40,

A bill for an act to provide for the management of the State Normal School at Mayville, N. D.,

Also,

Senate Bill No. 50,

A bill for an act providing for an appropriation for the maintenance and for making the needed permanent improvements of the State Normal School at Valley City, N. D.,

Also,

Senate Bill No. 54,

A bill for an act providing for an appropriation of money for the completion of the building for the school for the deaf and dumb and for contingent expenses thereto,

Also,

Senate Bill No. 55,

A bill for an act providing for the maintenance and for current and contingent expenses of the School for the Deaf and Dumb,

Also,

Senate Bill No. 63,

A bill for an act appropriating money from the State Treasury not otherwise appropriated to reimburse the county of Ward for money paid by said county in the holding of coroners' inquests, in the expense of criminal trials, and in assessing and collecting the State tax in the unorganized counties of Buford, Montaille, Flannery and Renville in the years 1890, 1891 and 1892,

Also,

Senate Bill No. 72,

A bill for an act to amend chapter 24 of the Laws of 1890 by inserting therein section 6 and amending its title,

Also,

Senate Bill No. 77,

A bill for an act for an appropriation for the current and contingent expenses of the Hospital for the Insane at Jamestown,

Also,

Senate Bill No. 113,

A bill for an act to reimburse the county of Pembina for expenses incurred in the small pox quarantine of August, 1892,

Also,
Senate Bill No. 116,

A bill for an act to provide for the better enforcement of the laws pertaining to cruelty to animals,

Which the Senate has passed, and your favorable consideration thereof is respectfully requested.

Respectfully,
FRED FALLEY,
Secretary.

Mr. Oliver moved

That the rules be suspended and that all Senate bills be read the first and second times and referred to their appropriate committees,

Which motion prevailed.

MOTIONS AND RESOLUTIONS.

Mr. Strom moved

That House Bill No. 100 be taken from general orders and referred to the Judiciary Committee,

Which motion prevailed.

INTRODUCTION OF HOUSE BILLS, JOINT RESOLUTIONS AND MEMORIALS.

Mr. Simpson introduced—

House Bill No. 232,

A bill for an act to amend an act entitled "An act to provide for taxation of real and personal property situated in unorganized counties,"

Which was read the first time.

Mr. Hodgson introduced—

House Bill No. 233,

A bill for an act to amend section 91 of chapter 132 of the Laws of 1890, being an act entitled "An act prescribing the mode of making assessment and the levy and collection of taxes and for other purposes relating thereto,

Which was read the first time.

Mr. McCulloch introduced—

House Bill No. 234,

A bill for an act to amend section 2 of chapter 114 of the Laws of 1891,

Which was read the first time.

Also,

House Bill No. 235,

A bill for an act to provide for the publication and distribution of 500 copies of the Revenue Law as amended,

Which was read the first time.

Mr. Plain introduced—

House Bill No. 236,

A bill for an act to amend section 4 of chapter 76 of the Laws of 1891,

Which was read the first time.

Mr. Davis introduced—

House Bill No. 237,

A bill for an act to authorize the organization of societies for mutual protection against larcenies of live stock,

Which was read the first time.

Mr. Sanford introduced the following memorial:

A memorial to Congress requesting the passage of a graduated income tax law:

Be it Resolved by the House, the Senate Concurring, That we desire Congress to enact a graduated income tax law.

Mr. Ueland moved

The adoption of the memorial to Congress.

Mr. Ueland asked unanimous consent to amend the memorial by striking out the words "similar to what prevailed during the war and several years thereafter,"

Which consent was granted and the words stricken out.

The question recurring upon the original motion to adopt the memorial.

The motion prevailed, and the memorial as amended was adopted.

Substitute for

House Bill No. 2,

A bill for an act to provide for the right of erection of grain warehouses and elevators on the right-of-way of railroad corporations and contiguous thereto,

Was read the first and second times.

Mr. Bentley presented the following

CONCURRENT RESOLUTION.

WHEREAS, The National Government appropriates annually \$400,000 for the equipment of the militia of several states; and,

WHEREAS, The method of apportioning this amount of money between the states is at present based upon congressional representation instead of the number of effective militia maintained by said states; and,

WHEREAS, By this present method of allotment several states with a meager militia force, or none at all, are drawing several times the amount of money that other states with a well organized militia are receiving from this national appropriation; therefore,

Be it Resolved by the Third Legislative Assembly of the State of North Dakota:

That our Senators and Representative in Congress be and they are hereby requested to use their utmost endeavors to amend the law regulating the allotment of the national militia fund between the states so that the same shall be based upon the effective militia force organized and maintained by the several states instead of upon congressional representation, as at present.

Mr. McLean moved
To adopt the Concurrent Resolution,
Which motion prevailed.

Mr. Caldwell introduced—
House Bill No. 238,
A bill for an act entitled "An act granting the right of suffrage
to women,"

Which was read the first time.

Mr. Logan moved
That the rules be suspended and that House Bill No. 238 be
read the second time and referred to its appropriate committee,
Which motion was lost.

Mr. Oliver introduced—
House Bill No. 239,
A bill for an act to amend section 79 of chapter 132 of the Laws
of 1890, being an act entitled "An act prescribing the mode of
making assessment and the levy and collection of taxes and for
other purposes relative thereto,"
Which was read the first time.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 20,
A bill for an act making appropriation for maintenance of State
University,
Was read the first and second times and referred to the Com-
mittee on Appropriations.

Senate Bill No. 21,
A bill for an act providing for an appropriation for the erection
of additional buildings and for the payment of the contingent
expenses of the North Dakota Agricultural College at Fargo,
Was read the first and second times and referred to the Com-
mittee on Appropriations.

Senate Bill No. 25,
A bill for an act for an appropriation for the erection of the
North Dakota Reform School and for incidental and contingent
expenses for the same,
Was read the first and second times and referred to the Com-
mittee on Appropriations.

Senate Bill No. 34,
A bill for an act providing for an appropriation for the current
and contingent expenses of the penitentiary at Bismarck, and for
making needed permanent improvements thereat,
Was read the first and second times and referred to the Com-
mittee on Appropriations.

Senate Bill No. 36,
A bill for an act providing for an appropriation for the current

and contingent expenses, furnishing and maintenance and for making needed permanent improvements for the Soldiers' Home at Lisbon,

Was read the first and second times and referred to the Committee on Appropriations.

Senate Bill No. 40,

A bill for an act to provide for the management of the State Normal School at Mayville, N. D.,

Was read the first and second times and referred to the Committee on Appropriations.

Senate Bill No. 50,

A bill for an act providing for an appropriation for the maintenance and for making the needed permanent improvements of the State Normal School at Valley City, N. D.,

Was read the first and second times and referred to the Committee on Appropriations.

Senate Bill No. 54,

A bill for an act providing for an appropriation of money for the completion of the building for the school for the deaf and dumb and for contingent expenses thereto,

Was read the first and second times and referred to the Committee on Appropriations.

Senate Bill No. 55,

A bill for an act providing for the maintenance and for current and contingent expenses of the School for the Deaf and Dumb,

Was read the first and second times and referred to the Committee on Appropriations.

Mr. McLean moved

That the House do now take a recess for fifteen minutes,
Which motion prevailed.

House reassembled.

Mr. Speaker appointed Messrs. Yegen, Horgan and Halvorson a committee to notify the Senate that the House was in readiness to receive the Senate in Joint Session to ballot for a United States Senator.

The Sergeant-at-Arms announced the Lieutenant-Governor, members of the Senate and officers thereof, with the House committee escorting, in waiting.

JOINT SESSION.

The Joint Session of the two houses was called to order by the Lieutenant-Governor, the President of the Senate.

The rolls of the respective Houses were called.

All members present except Mr. Speaker of the House.

The Journal of the Joint Session of the forty-seventh legislative day was read.

Mr. Deans moved

That the reading of the names be dispensed with,
Which motion prevailed.

There being no objections, the Journal of the Joint Session of the forty-seventh legislative day was approved.

Mr. Little moved

That the Joint Session do now proceed to take the sixtieth ballot for a United States Senator,

Which motion prevailed, and

The Joint Session proceeded to take the sixtieth ballot for a United States Senator.

SIXTIETH BALLOT.

The roll being called, there were 90 votes cast, of which Mr. H. F. Miller received 35, Mr. Walsh 24, Mr. Benton 1, Judge Wallin 26. Mr. Muir 1, Mr. Lamb 3.

Those who voted for Mr. H. F. Miller were:

Messrs. Arnold, Cashel, Day, Gregory, Haggart, Ink, Little, LaMoire, McGillivray, Miller, Palmer, Svensrud, Worst, White, Young, Benedict, Bentley, Boynton, Bullard, Burkhardt, Churchill, Cochrane, Havrevold, Hurley, Larson, Lohnes, Newman, Oksendahl, Oliver, Ritter, Satterlund, Simpson, Tufts, Veeder, Yegen—35.

Those who voted for Judge Wallin were:

Messrs. Enger, Hillier, Johnson, Lamb, McCarten, Pinkham, Caldwell, Elliott, Hagen, Haugen, Hodgson, Johnson of Sargent, Lee, Levang, Logan, McArthur, McCanna, McCulloch, Pierce, Severson, Southard, Strom, Thompson, Towers, Wallen, Wright—26.

Those who voted for Mr. Walsh were:

Messrs. Bidlake, Brynjolfson, Burke, Engle, Kinter, McCormack, Patch, Sorley, Ebbighausen, Hall, Hallum, Halvorson, Holliday, Horgan, James, Johnson of Grand Forks, Johnston, Kelly, McLean, O'Keefe, Plain, Sanford, Thexton, Wineman—24.

Those who voted for Mr. Lamb were:

Messrs. Davis, Rinde, Ueland—3.

Mr. Deans voted for Mr. Benton.

Mr. Stevens voted for Mr. Muir.

Absent and not voting, Mr. Fuller of the Senate and Mr. Wishek and Mr. Speaker of the House.

Mr. Burke moved
 That the Joint Session do now proceed to take the sixty-first ballot for a United States Senator,
 Which motion prevailed, and
 The Joint Session proceeded to take the sixty-first ballot for a United States Senator.

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SIXTY-FIRST BALLOT.

The roll being called, there were 92 votes cast, of which Mr. Roach received 50, Mr. Casey 23, Mr. Smith 1, Mr. Wallin 2, Mr. Miller 16.

Those who voted for Mr. Miller were:

Messrs. Day, Fuller, Haggart, Johnson, Pinkham, Worst, Boynton, Bullard, Larson, Lohnes, Newman, Ritter, Severson, Southard, Strom, Tufts—16.

Those who voted for Mr. Wallin were:

Messrs. Enger, Wallen—2.

Those who voted for Mr. Roach were:

Messrs. Bidlake, Brynjolfson, Burke, Cashel, Engle, Hillier, Kinter, Lamb, LaMoure, McCarten, McCormack, Patch, Sorley, Stevens, Caldwell, Cochrane, Davis, Deans, Ebbighausen, Elliott, Hagen, Hall, Hallum, Halvorson, Haugen, Hodgson, Holliday, Horgan, James, Johnson of Sargent, Johnson of Grand Forks, Johnston, Kelly, Lee, Levang, Logan, McCanna, McCulloch, McLean, O'Keefe, Pierce, Plain, Rinde, Sanford, Thexton, Thompson, Towers, Ueland, Wineman, Yegen—50.

Those who voted for Mr. Casey were:

Messrs. Arnold, Gregory, Ink, Little, McGillivray, Miller, Palmer, Svensrud, White, Young, Benedict, Bentley, Burkhardt, Churchill, Havrevold, Hurley, Oxsendahl, Oliver, Satterlund, Simpson, Veeder, Wishek, Wright—23.

Mr. McArthur voted for Mr. Smith.

Mr. Speaker of the House being absent and not voting.

Mr. William N. Roach having received a majority of all the votes cast by Senators and Representatives of the Legislative Assembly of North Dakota,

Mr. President and the Joint Assembly formally declared William N. Roach duly elected United States Senator from the State of North Dakota for the term of six years, commencing March 4, 1893.

Mr. Burke moved

That the certificate of William N. Roach for United States Senator be approved by the Joint Assembly,
 Which motion prevailed.

The following certificate was then signed in the presence of the Joint Session, and read by the Clerk of the Joint Session:

STATE OF NORTH DAKOTA,
HALL OF THE HOUSE OF REPRESENTATIVES. }

This is to certify, that at a meeting of the two Houses of the Legislative Assembly of the State of North Dakota, in Joint Assembly held on Wednesday, the 18th day of January, A. D., 1893, at noon, a majority of all the members of each House being present and voting, it was found upon an examination of the Journals of the respective Houses, that upon Tuesday, the 17th day of January, A. D. 1893, and after the meeting and organization of the Legislative Assembly, each House had by an open viva voce vote voted for a United States Senator, and that the same person had not received a majority of all the votes cast in each House; thereupon both Houses in Joint Assembly on Wednesday, the 18th day of January, A. D. 1893, at noon met and proceeded to ballot for a United States Senator; the same person not receiving a majority of all the votes cast, the said Joint Assembly dissolved and convened on Thursday, the 19th day of January, A. D. 1893, at noon, and proceeded to ballot for a United States Senator; the same person not receiving a majority of the votes cast, the said Joint Assembly dissolved and reconvened on Friday, the 20th day of January, A. D. 1893, at noon, and proceeded to ballot for a United States Senator; the same person not receiving a majority of all the votes cast, the said Joint Assembly dissolved and reconvened on Saturday, the 21st day of January, A. D. 1893, at noon, and proceeded to ballot for a United States Senator; the same person not receiving a majority of all the votes cast, the said Joint Assembly dissolved and reconvened on Monday, the 23d day of January, A. D. 1893, at noon, and proceeded to ballot for United States Senator; the same person not receiving a majority of all the votes cast the said Joint Assembly dissolved and reconvened on Tuesday, the 24th day of January, A. D. 1893, at noon, and proceeded to ballot for a United States Senator; the same person not receiving a majority of all the votes cast, the said Joint Assembly dissolved and reconvened on Wednesday, the 25th day of January, A. D. 1893, at noon, and proceeded to ballot for a United States Senator; the same person not receiving a majority of all the votes cast, the said Joint Assembly dissolved and reconvened on Thursday, the 26th day of January, A. D. 1893, at noon, and proceeded to ballot for a United States Senator; the same person not receiving a majority of all the votes cast, the said Joint Assembly dissolved and reconvened on Friday, the 27th day of January, A. D. 1893, at noon, and proceeded to ballot for a United States Senator; the same person not receiving a majority of all the votes cast, the said Joint Assembly dissolved and reconvened on Saturday, the 28th day of January, A. D. 1893, at noon, and proceeded to ballot for a United States Senator; the same person not receiving a majority of all the votes cast, the said Joint Assembly dissolved and reconvened on Monday, the 30th day of January, A. D. 1893, at noon, and proceeded to ballot for a United States Senator; the same person not receiving a majority of all the votes cast, the said Joint Assembly dissolved and reconvened on Tuesday, the 31st day of January, A. D. 1893, at noon, and proceeded to ballot for a United States Senator; the same person not receiving a majority of all the votes cast, the said Joint Assembly dissolved and reconvened on Wednesday, the 1st day of February, A. D. 1893, at noon, and proceeded to ballot for a United States Senator; the same person not receiving a majority of all the votes cast, the said Joint Assembly dissolved and reconvened on Thursday, the 2nd day of February A. D. 1893, at noon, and proceeded to ballot for a United States Senator; the same person not receiving a majority of all the votes cast, the said Joint Assembly dissolved and reconvened on Friday, the 3rd day of February, A. D. 1893, at noon, and proceeded to ballot for a United States Senator; the same person not receiving a majority of all the votes cast, the said Joint Assembly dissolved and reconvened on Saturday, the 4th day of February, A. D. 1893, at noon, and proceeded to ballot for a United States Senator; the same person not receiving a

majority of all the votes cast, the said Joint Assembly dissolved and reconvened on Monday, the 6th day of February, A. D. 1893, at noon, and proceeded to ballot for a United States Senator; the same person not receiving a majority of all the votes cast, the said Joint Assembly dissolved and reconvened on Tuesday, the 7th day of February, A. D. 1893, at noon, and proceeded to ballot for a United States Senator; the same person not receiving a majority of all the votes cast, the said Joint Assembly dissolved and reconvened on Wednesday, the 8th day of February, A. D. 1893, at noon, and proceeded to ballot for United States Senator; the same person not receiving a majority of all the votes cast, the said Joint Assembly dissolved and reconvened on Thursday, the 9th day of February, A. D. 1893, at noon, and proceeded to ballot for a United States Senator; the same person not receiving a majority of all the votes cast, the said Joint Assembly dissolved and reconvened on Friday, the 10th day of February, A. D. 1893, at noon, and proceeded to ballot for a United States Senator; the same person not receiving a majority of all the votes cast, the said Joint Assembly dissolved and reconvened on Saturday, the 11th day of February, A. D. 1893, at noon, and proceeded to ballot for a United States Senator; the same person not receiving a majority of all the votes cast, the said Joint Assembly dissolved and reconvened on Monday, the 13th day of February, A. D. 1893, at noon, and proceeded to ballot for a United States Senator; the same person not receiving a majority of all the votes cast, the said Joint Assembly dissolved and reconvened on Tuesday, the 14th day of February, A. D. 1893, at noon, and proceeded to ballot for a United States Senator; the same person not receiving a majority of all the votes cast, the said Joint Assembly dissolved and reconvened on Wednesday, the 15th day of February, A. D. 1893, at noon, and proceeded to ballot for a United States Senator; the same person not receiving a majority of all the votes cast, the said Joint Assembly dissolved and reconvened on Thursday, the 16th day of February, A. D. 1893, at noon, and proceeded to ballot for a United States Senator; the same person not receiving a majority of all the votes cast, the said Joint Assembly dissolved and reconvened on Friday, the 17th day of February, A. D. 1893, at noon, and proceeded to ballot for a United States Senator; the same person not receiving a majority of all the votes cast, the said Joint Assembly dissolved and reconvened on Saturday, the 18th day of February, A. D. 1893, at noon, and proceeded to ballot for a United States Senator; the same person not receiving a majority of all the votes cast, the said Joint Assembly dissolved and reconvened on Monday, the 20th day of February, A. D. 1893, at noon, and proceeded to cast a ballot for a United States Senator. Thereupon said Joint Assembly, by an open viva voce vote of the members present, a majority of all the Senators and Representatives elect being present and voting, named William N. Roach, of Larimore, Grand Forks county, State of North Dakota, as Senator in Congress for the State of North Dakota, for the term beginning March 4th, A. D. 1893, next, whereupon said Joint Assembly formally declared William N. Roach, of Larimore, Grand Forks county, duly elected Senator to represent the State of North Dakota in the Congress of the United States.

ELMER D. WALLACE
Lieutenant-Governor and President of the Senate,
FRED FALLEY,
Secretary of the Senate,
ARNE P. HAUGEN,
Speaker of the House pro tem.,
J. G. HAMILTON,
Chief Clerk of the House.

Attest:
J. G. HAMILTON,
Clerk of the Joint Session.

Mr. McCormack moved
That a committee of three be appointed to notify Mr. Roach

of his election, and invite him to appear before the Joint Assembly,

Which motion prevailed, and

Mr. President appointed as such committee Messrs. McCormack, Stevens and Bentley.

The special committee returned, escorting the Hon. W. N. Roach, who was introduced by the President, and the Hon. W. N. Roach addressed the Joint Assembly.

Mr. Burke moved

That the Hon. John D. Benton be invited to address the Joint Assembly,

Which motion prevailed, and

The Hon. John D. Benton addressed the Joint Assembly.

The Journal of the Joint Session of today was read.

Mr. Svensrud moved

That the reading of the names on roll calls be dispensed with,
Which motion prevailed.

Mr. McLean moved

That the Journal as read be approved,
Which motion prevailed, and
The Journal of the Joint Session was approved.

Mr. Worst moved

That the Joint Assembly do now dissolve *sine die*,
Which motion prevailed, and
The Joint Session dissolved.

J. G. HAMILTON,
Clerk of the Joint Session.

House reassembled.

Senate Bill No. 63,

A bill for an act appropriating money from the State Treasury, not otherwise appropriated, to reimburse the county of Ward for money paid by said county in the holding of coroners' inquests, in the expense of criminal trials, and in assessing and collecting the State tax in the unorganized counties of Buford, Montrail, Flannery and Renville in the years 1890, 1891 and 1892,

Was read the first and second times and referred to the Committee on Appropriations.

Senate Bill No. 72,

A bill for an act to amend chapter 24 of the Laws of 1890 by inserting therein section 6 and amending its title,

Was read the first and second times and referred to the Committee on Appropriations.

Senate Bill No. 77,

A bill for an act for an appropriation for new buildings for the Asylum for the Insane at Jamestown,

Was read the first and second times and referred to the Committee on Appropriations.

Senate Bill No. 113,

A bill for an act to reimburse the county of Pembina for expenses incurred in quarantine of August, 1892,

Was read the first and second times and referred to the Committee on Appropriations.

Senate Bill No. 116,

A bill for an act to provide for the better enforcement of the laws punishing cruelty to animals,

Was read the first and second times and referred to the Committee on Appropriations.

Mr. McLean moved

That the House do now adjourn,

Which motion prevailed, and

The House adjourned.

J. G. HAMILTON,
Chief Clerk.

FIFTIETH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 21, 1893.

The House assembled at 10 o'clock a. m., pursuant to adjournment.

The House was called to order by J. G. Hamilton, Chief Clerk.

Prayer by the Chaplain.

Mr. Boynton moved

That Mr. Oliver be elected Speaker for this day,

Which motion prevailed and Mr. Oliver took the chair.

Roll called.

All members present except Messrs. Churchill, Deans, Ebbighausen, Halvorson, James, Johnson of Grand Forks, Lee, Levang, McCulloch, Oksendahl, Ritter, Severson, Southard, Wineman, Wishek and Mr. Speaker.

The committee to revise and correct the Journal made the following report:

MR. SPEAKER:

Your committee to revise and correct the Journal have examined the Journal of the House proceedings of the forty-ninth legislative day and find the same to be correct.

D. C. TUFTS,
Chairman.

There being no objections, the report was adopted and the Journal approved.

The Speaker called Mr. Ueland to the chair.

REPORTS OF STANDING COMMITTEES.

The Committee on Engrossed Bills made the following report:

MR. SPEAKER:

Your Committee on Engrossed Bills have examined
House Bill No. 124,

A bill for an act to prevent the spread of contagious and infectious diseases among domestic animals.

Also,

House Bill No. 184,

A bill for an act to amend division first and second of section sixteen (16) of an act entitled "An act prescribing the mode of making assessment and the levy and collection of taxes and for other purposes relative thereto."

Also,

House Bill No. 189,

A bill for an act to amend sections 3, 5, 8, 10, 11 and 12 of of chapter — of the Laws of 1890, entitled "An act to regulate the practice of pharmacy, the licensing of persons to carry on such practice and the sale of poisons in the State of North Dakota."

House Bill No. 194,

A bill for an act defining usury and fixing the penalty for taking the same.

Also,

House Bill No. 32,

A bill for an act to amend section 3, chapter 100, of the Session Laws of 1890, providing for the collection of city and school taxes.

Also,

House Bill No. 74,

A bill for an act to require all railways in this State to run a train for freight and passenger traffic over their roads and all lines and branches thereof during each week day of the year.

Also,

House Bill No. 78,

A bill for an act to enable county commissioners to present the listing, assessment, advertisement and selling at tax sales of lots according to their subdivisional description in certain cases.

Also,

House Bill No. 98,

A bill for an act providing for the removal of obstructions to natural waterways.

Also,

House Bill No. 130,

A bill for an act to refund \$744.53 to Towner county for overpaid taxes to the State.

Also,

House Bill No. 108,

A bill for an act to provide for the collection of vital statistics.

Also,

House Bill No. 156,

A bill for an act to amend section 72 of chapter 62 of the Laws of 1890, and sections 17 and 18 of chapter 56 of the Laws of 1891.

Also,

House Bill No. 141,

A bill for an act to amend section 75 of chapter 62 of the Laws of 1890, entitled "An act to provide for a uniform system of free public schools throughout the State, and to prescribe penalties for violation of provisions thereof."

Also,

House Bill No. 170,

A bill for an act for the registration of the legal voters of this State outside of cities containing more than 3,000 people, to be made from data and other means to be furnished the local assessor.

Also,

House Bill No. 29,

A bill for an act to establish the Thirty-second Senatorial and Legislative District.

Also,

House Bill No. 41,

A bill for an act to amend section 7 of chapter 25 of the General Laws of 1890, entitled "An act providing for the organization and fixing and defining the powers and duties of the Board of University and School Lands, and making an appropriation therefor."

Also,

House Bill No. 94,

A bill for an act to establish city boards of health.

Also,

House Bill No. 107.

A bill for an act to amend sections 3, 4, 6 and 7 of chapter 68 of the Laws of 1885, being sections 236, 237, 239 and 240 of the Compiled Laws.

Also,

House Bill No. 110,

A bill in relation to persons and corporations offering premiums for testing the speed of horses, and to prevent the fraudulent entering of horses to compete for such premiums.

Also,

House Bill No. 163,

A bill for an act prescribing the duties of county commissioners in relation to landmarks and fixing a penalty for removing or defacing the same.

Also,

House Bill No. 67,

A bill for an act to amend section 66 and repeal section 67 of chapter 132 of the Laws of 1890.

Also,

House Bill No. 69.

A bill for an act to amend section 69 of chapter 132 of the Laws of 1890.

Also,

House Bill No. 213,

A bill for an act to provide for ascertaining and collecting the just amount to be paid for taxes on property in case of invalidity of tax proceedings.

Also,

House Bill No. 126,

A bill for an act to define the powers and duties of county and city boards of health and for the prevention and suppression of contagious, infectious and epidemic diseases.

Also,

House Bill No. 65,

A bill for an act to amend chapter 48 of the Laws of 1891, amending section 103 of chapter 38, Political Code, as amended by chapter 131 of the Laws of 1890.

And find the same correctly engrossed.

J. DEXTER PIERCE,
Chairman.

The Committee on Taxation and Tax Laws made the following report:

MR. SPEAKER:

Your Committee on Taxation and Tax Laws, to whom was referred

House Bill No. 64,

A bill for an act to amend chapter 128 of the Laws of 1887,

Have had the same under consideration and recommend that the same be amended as follows:

1. By adding in line 10 of original bill after the word "township" the words "or school district."
2. By adding and inserting in line 11 of same after the word "township" the words "and clerk of such school district."
3. By striking out the word "township" and inserting in lieu thereof the word "such" in line 12 of original bill.
4. By striking out the word "township" in line 13 of same and inserting the word "proper" in lieu thereof.

5. By adding and inserting in line 15 of same, after the word 'bonds,' the words "except those of justices of the peace."

6. By striking out the word "township" in lines 19 and 20 of original bill.

7. By adding after the word "auditor" in line 22 of original bill the following clause, namely: "The county auditor shall not issue any order upon the county treasurer for funds or moneys belonging to a civil township or school district to any person as treasurer of such township or school district until his bond has been filed as in this act provided."

And when so amended recommend that the same do pass.

H. C. SOUTHARD,
Chairman.

INTRODUCTION OF BILLS, JOINT RESOLUTIONS AND MEMORIALS.

Mr. Ebbighausen introduced—

House Bill No. 240,

A bill to amend sections 1, 10, 13, 16 and 26, chapter 110 of Laws of 1890,

Which was read the first time.

Mr. Tufts introduced—

House Bill No. 241,

A bill for an act to revise and consolidate the Laws of this State providing for the drainage of swamps, marshes and other low lands and to repeal the act of March, one thousand eight hundred eighty-three (Laws of 1883, chapter 75, page 177), and all amendments thereof.

Which was read the first time.

SECOND READING OF HOUSE BILLS.

House Bill No. 218,

A bill for an act to impose a tax upon that proportion of the capital stock of all Pullman sleeping, palace or dining car companies which is invested and used in the State, and upon all sleeping, palace or dining cars operated in North Dakota,

Was read the second time and referred to the Committee on Taxation and Tax Laws.

House Bill No. 220,

A bill for an act to require the school district treasurers to deposit district funds in designated depositories,

Was read the second time and referred to the Committee on State Affairs.

House Bill No. 222,

A bill for an act to amend section 78 of chapter 132 of the Laws of 1890,

Was read the second time and referred to the Committee on Taxation and Tax Laws.

House Bill No. 223,

A bill for an act providing for the destruction of weeds along the public highways,

Was read the second time and referred to the Committee on Agriculture.

House Bill No. 224,

A bill for an act providing for the compilation, revision and codification of the Laws of North Dakota and the publication and distribution and sale thereof, and to repeal chapter 82 of the Laws of 1891, in relation thereto,

Was read the second time and referred to a special committee of which Mr. Deans is chairman.

House Bill No. 225,

A bill for an act to amend section 3 of chapter 100 of the Laws of 1891, entitled "Revenue and Taxation,"

Was read the second time and referred to the Committee on Taxation and Tax Laws.

House Bill No. 226,

A bill for an act to repeal section 5 of chapter 128 of the General Laws of 1891, entitled "An act to provide for the collection, arrangement and display of the products of the State of North Dakota at the World's Columbian Exposition,

Was read the second time.

Mr. Ueland moved to refer House Bill No. 226 to the Committee of the Whole,

Which motion prevailed.

House Bill No. 227,

A bill for an act to authorize one or more towns to employ a family physician,

Was read the second time and referred to the Committee on Public Health.

House Bill No. 228,

A bill for an act to prevent property from escaping taxation through technical defects,

Was read the second time and referred to the Committee on Taxation and Tax Laws.

House Bill No. 230,

A bill for an act relating to the receiving and handling of grain and other products by railroad companies,

Was read the second time and referred to the Committee on Warehouses.

House Bill No. 232,

A bill for an act to amend an act entitled "An act to provide for taxation of real and personal property situated in unorganized counties,"

Was read the second time and referred to the Judiciary Committee.

Mr. Simpson moved

That House Bill No. 232 be referred to the Judiciary Committee,

Which motion prevailed.

House Bill No. 233,

A bill for an act to amend section 91 of chapter 132 of the Laws of 1890, being an act entitled "An act prescribing the mode of making assessment and the levy and collection of taxes and for other purposes relating thereto,"

Was read the second time and referred to the Committee on Taxation and Tax Laws.

House Bill No. 234,

A bill for an act to amend section 2 of chapter 114 of the Laws of 1891,

Was read the second time and referred to the Committee on Taxation and Tax Laws.

House Bill No. 238,

A bill for an act entitled "An act granting the right of suffrage to women,"

Was read the second time and referred to the Committee on Woman Suffrage.

Mr. McLean moved

That the rules be suspended and that House Bill No. 240 be referred to a special committee of three,

Which motion was lost.

Mr. Ueland moved

To suspend the rules and that all Senate bills be given their first and second reading and referred to their appropriate committees,

Which motion prevailed.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 41,

A bill for an act fixing the fees for filing, renewing and releasing chattel mortgages,

Was read the first and second times and referred to the Judiciary Committee.

Senate Bill No. 66,

A bill for an act relating to the sale of city, town and village water works,

Was read the first and second times and referred to the Committee on Municipal Corporations.

Senate Bill No. 69,

A bill for an act to reduce the salaries of Railroad Commissioners of the State of North Dakota from \$2,000 per year to \$100 per year from and after December 31, 1894.

Was read the first and second times and referred to the Committee on State Affairs.

Senate Bill No. 61,

A bill for an act fixing the time for commencement and ending of the fiscal year for the State of North Dakota,

Was read the first and second times and referred to the Committee on Ways and Means.

Senate Bill No. 91,

A bill for an act to amend section 4 of chapter 70 of the Laws of 1891, being an act entitled "An act defining the boundaries of the Fifth Judicial District, subdividing the same, and fixing the time for holding the terms of district court therein,"

Was read the first and second times and referred to the Judiciary Committee.

Senate Bill No. 93,

A bill for an act to amend section 9 of chapter 24 of the Political Code, being section 1030 of the Compiled Laws, as to the incorporation of towns,

Was read the first and second times and referred to the Committee on Municipal Corporations.

Senate Bill No. 95,

A bill for an act fixing the salaries of the judges of the district courts,

Was read the first and second times and referred to the Judiciary Committee.

Senate Bill No. 97,

A bill for an act to amend section 1 of chapter 62 of the Laws of 1891,

Was read the first and second times and referred to the Committee on Education.

Senate Bill No. 81,

A bill for an act to encourage the live stock industry, to provide for the purchase or importation of thoroughbred stock for breeding purposes, to protect breeders and importers from unjust and exorbitant charges, and appointing a commission for the purpose of carrying the provisions of this act into effect, and appropriating funds for the furtherance thereof,

Was read the first and second times and referred to the Committee on Agriculture.

Senate Bill No. 83,

A bill for an act to amend section 5 of chapter 58 of the Laws of 1887, being section 2369 of the Compiled Laws, relating to the protection of birds,

Was read the first and second times and referred to the Committee on Sheep Husbandry.

Senate Bill No. 49,

A bill for an act prescribing the compensation of the lieutenant-governor while acting as governor,

Was read the first and second times and referred to the Committee on State Affairs.

Senate bill No. 94,

A bill for an act to amend sections 1 and 30 of chapter 132 of the Session Laws of 1890, being an act entitled "An act prescribing the mode of making assessment, and the levy and collection of taxes, and for other purposes relative thereto,

Was read the first and second times and referred to the Committee on Banks and Banking.

Senate Bill No. 111,

A bill for an act to amend section 1 of chapter 6 of the Laws of 1879 as amended by section 38, sub-chapter 1 of chapter 112 of the Laws of 1883, and by section 1 of chapter 161, Laws of 1887, being section 1374 of the Compiled Laws relating to the amounts of the bonds of various officers,

Was read the first and second times and referred to the Judiciary Committee.

Senate Bill No. 88,

A bill for an act to provide protection from fire within the Capitol Building,

Was read the first and second times and referred to the Committee on Appropriations.

Senate Bill No. 98,

A bill for an act to amend chapter 5 of the Civil Code, relating to unlawful transfer of real estate, by repealing section 681, relating to unlawful transfers,

Was read the first and second times and referred to the Judiciary Committee.

Senate Bill No. 112,

A bill for an act to amend section 2012 of the Civil Code, being section 4645 of the Compiled Laws of 1887,

Was read the first and second times and referred to the Judiciary Committee.

Senate Bill No. 110,

A bill for an act to confirm the sale of 71,809.67 acres of university and school lands located in the counties of Pembina, Walsh, Grand Forks, Traill, Cass and Richland, of this State, to cure any alleged defect of title that may arise from the said sales having been made in April, 1892, instead of between April 15, 1891, and June 1, 1891, as required by chapter 146 of the Session Laws of 1890,

Was read the first and second times and referred to the Committee on School and Public Lands.

Senate Bill No. 108,

A bill for an act to regulate the sale and redemption of transportation tickets of common carriers,

Was read the first and second times and referred to the Judiciary Committee.

Senate Bill No. 29,

A bill for an act to amend section 290 of the Penal Code, being section 6490 of the Compiled Laws,

Was read the first and second times and referred to the Judiciary Committee.

Senate Bill No. 118,

A bill to amend sections 3 and 8 of Chapter 93 of Session Laws of 1891,

Was read the first and second times and referred to a special Committee on Firebreaks.

Senate Bill No. 106,

A bill for an act to amend sections 288 and 289 of the Penal Code, being sections 6488 and 6489 of the Compiled Laws, providing the punishment for robbery in the first and second degrees,

Was read the first and second times and referred to the Judiciary Committee.

Senate Bill No. 11,

A bill for an act authorizing county commissioners to establish in suitable localities public scales and regulating the appointment and duties of public weighmasters,

Was read the first and second times and referred to the Committee on Grain Grading and Warehouses.

Mr. Ueland moved

That the House do now resolve itself into a Committee of the Whole for the purpose of considering general orders,

Which motion prevailed.

Mr. Speaker called Mr. Ueland to the chair.

When the committee arose the following report was presented:

MR. SPEAKER:

Your Committee of the Whole have had under consideration House Bill No. 114,

A bill for an act for the acquisition of land for township cemeteries,

And recommend the adoption of the following amendment:

Amendment to House Bill No. 114.

By striking out the word "and" in line 22 of page 1, original bill, and inserting the word "to" in lieu thereof.

Also by striking out the words "county clerk of the county" and inserting in lieu thereof the words "district judge of the judicial district" in line 27 of page 1, original bill.

Also by striking out after the word "privileges" the word "to" and inserting in lieu thereof the words "which the" in line 13 of page 4, original bill.

And the passage of the bill as so amended.

Also,

House Bill No. 17,

A bill to fix all railroad rates of fare for passenger travel at not over three cents per mile and to prescribe a penalty for exacting or receiving a greater rate.

And recommend that the bill be made a special order for Friday, February 24, at 2 o'clock p. m.

Also,

House Bill No. 144,

A bill for an act to amend subdivision 16 of sections 1 and 2 and subdivision 15 of sections 3 and 4 of chapter 86, Laws of 1890,

Together with the following amendment:

Amendment to House Bill No. 144.

By striking out the words "appointed and" in line 4, section 1, and by striking out the words "appointed and" in line 4, section 3 of printed bill; strike out the word "thirty" in line 0 of section 2 of printed bill and insert "twenty;" strike out the word "thirty" in line 6, section 4 and insert in lieu thereof the word "twenty."

And recommend the adoption of the amendment and the passage of the bill as amended.

Also,

House Bill No. 168,

A bill for an act to amend sections 17, 18 and 19 of chapter 62 of the Session Laws of 1890, entitled "An act to provide for a uniform system of free public schools throughout the State, and to prescribe penalties for violation of the provisions thereof,"

And recommend that the bill do not pass.

L. A. UELAND,
Chairman.

Mr. Ueland moved

That the report of the Committee of the Whole be adopted,
Which motion prevailed.

Mr. McLean moved

That when the House adjourns, it adjourn to meet next Thursday, February 23, at 1:30 o'clock,

Which motion prevailed.

The Committee on Counties and County Boundaries made the following report:

MR. SPEAKER:

Your Committee on Counties and County Boundaries, to whom was referred

House Bill No. 83,

A bill for an act governing the alteration of county boundaries, Have had the same under consideration and recommend that the same be amended as follows:

Strike out all after the enacting clause and insert the following in lieu thereof:

Section 1. Whenever a majority of the qualified electors residing within any territory of not less than one-half of a congressional township shall petition, in writing, the board of county commissioners of the county from which they wish such territory detached, and the board of county commissioners of the county to which they wish such territory attached, it shall be the duty of the county commissioners of the respective counties so petitioned to submit the question of such transfer of territory to the legal voters of their respective counties at the next general election to be held thereafter, and the returns of said election shall be made to the county auditor and canvassed by the county board in the same manner as provided by law for canvassing the returns for the election of county offices, and the results of said canvass shall be certified to the Secretary of State.

Sec. 2. Notice of Election. The notice of election shall contain a description of the territory proposed to be transferred, the name of the county to which said territory is purposed to be annexed and from which it is purposed to be detached, and shall be posted as required for general elections.

Sec. 3. Form of Ballots, etc. The ballots used in said election shall be in the following form, to-wit: "For transferring territory," and "Against transferring territory." Whenever a majority of the voters voting upon said question in the county from which said territory is purposed to be taken, and a majority of the voters of the county to which the same is purposed to be transferred shall be for "Transferring territory," then the said territory shall be deemed transferred, annexed to and made a part of the county which it is purposed to transfer the same on and after the first day of January succeeding such election, and shall be subject to all the laws, rules and regulations thereof; *Provided*, that all assessments and collections of taxes and judicial or other official proceedings commenced prior to the said first day of January shall be continued, prosecuted and completed in the same manner as if no transfer had been made; and, *Provided further*, that all township or precinct officers within said transferred county shall continue to hold their respective offices within the county to which they may be transferred until their respective terms of office expire.

Sec. 4. No county shall be reduced under the provisions of this act to less than twenty-four congressional districts and containing a population of less than one thousand bona fide inhabitants.

Sec. 5. Adjustment of Debts. In case any portion of an organized county is stricken off and added to another, under the provisions of this act, then the county to which such portion is added shall assume and shall be holden for an equitable proportion of the indebtedness of the county so reduced.

And when so amended recommend that the bill do pass.

L. A. SIMPSON,
Chairman.

Mr. Ueland moved

To adopt the report of the committee,

Which motion prevailed,

And the amendments were adopted.

Mr. McLean moved
That the House do now adjourn,
Which motion prevailed, and
The House adjourned.

J. G. HAMILTON,
Chief Clerk.

FIFTY-SECOND DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 23, 1893.

The House assembled at 1:30 p. m., pursuant to adjournment.
The House was called to order by J. G. Hamilton, Chief Clerk.
Prayer by the Chaplain.

Mr. McArthur moved

That the House proceed to elect a Speaker for the day,
Which motion prevailed.

The roll being called there were fifty votes cast, of which Mr. Bentley received fifty votes.

Those who voted for Mr. Bentley were:

Messrs—	Messrs—	Messrs—
Benedict,	Horgan,	Pierce,
Boynton,	Hurley,	Plain,
Bullard,	James,	Rinde,
Caldwell,	Johnson of Sargent,	Satterlund,
Churchill,	Johnson of G'd Forks,	Simpson,
Cochrane,	Johnston,	Strom,
Davis,	Kelly,	Thexton,
Deans,	Larson,	Thompson,
Ebbighausen,	Logan,	Towers,
Hagen,	Lohnes,	Tufts,
Hall,	McArthur,	Ueland,
Hallum,	McCanna,	Veeder,
Halvorson,	McLean,	Wallen,
Haugen,	Newman,	Wineman,
Havrevold,	O'Keefe,	Wright,
Hodgson,	Oksendahl,	Yegen.
Holliday,	Oliver,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Levang,	Southard,
Burkhardt,	McCulloch,	Wishek,
Elliott,	Ritter,	Mr. Speaker.
Lee,	Sanford,	

Messrs. Burkhardt, Elliott, Ritter, Severson and Southard being excused.

Roll called.

All members present except Messrs. Burkhardt, Elliott, Lee, Levang, McCulloch, Ritter, Severson, Southard and Mr. Speaker.

Messrs. Burkhardt, Elliott, Ritter, Severson and Southard being excused.

The committee to revise and correct the Journal made the following report:

MR. SPEAKER:

Your committee to revise and correct the Journal of the fiftieth day have examined the same and find it to be correct.

D. C. TUFTS,
Chairman.

There being no objection, the report was adopted and the Journal of the fiftieth day approved.

PRESENTATION OF COMMUNICATIONS AND PETITIONS.

Mr. Wineman presented the following petition:

GRAND FORKS, N. D., February 22, 1893.

To the Honorable Members of the Legislature:

We, the undersigned, dealers in oil, respectfully urge you to do all in your power to prevent the passage of the amendment to the oil inspection law, believing it would be detrimental to our interest and that of the State, and feeling that the present law meets all requirements.

Signed by

JAMES RAE,
And Fifteen Others.

Mr. Hagen presented the following petition:

FINGAL, N. D., February 11, 1893.

We, the undersigned, citizens of Barnes county, North Dakota, do hereby petition the honorable body of the State Legislature to enact a suitable law that would give relief from the burden now upon the farming communities of North Dakota.

WHEREAS, The millers and Millers' Association, by their unbounded greed, exact exorbitant toll from the farmers when grinding their wheat or exchanging flour and other commodities for their wheat, the sacrifice which farmers have to make to them, without any law regulating their traffic, is greater than they can bear.

We therefore petition the present Legislature for a speedy enactment of a law prohibiting millers of North Dakota from charging more than one-sixth or one-eighth as toll for grinding wheat, and that all mills operated in North Dakota shall be obliged to do exchange work or grind for the farmers on this basis.

Also that the violation of the above-named act shall be punishable by heavy

finer or imprisonment, or both. Fines to be not less than \$200 nor more than \$500, or imprisonment to be three months and not to exceed six months for first offense, but both fines and imprisonment to be doubled for each and every offense thereafter.

Signed by

ANTON O. FJELDHOUG,
And Forty-Six Others.

Mr. Johnson of Grand Forks presented the following:

To the Legislative Assembly of the State of North Dakota:

We, the undersigned, citizens of North Dakota, believe that the present prohibition law is an utter failure and in direct opposition to the true spirit of republican government. We therefore request that the question of prohibition be again submitted to the people.

Signed by

WM. CLONE,
And Sixty-Two Others.

The following petition was presented:

To the Honorable Members of the Senate and House of Representatives of the Third Legislative Assembly of North Dakota:

We, the undersigned, residents of the State of North Dakota, pray your honorable body not to take any steps at this session to reopen the question of resubmission of our constitutional prohibition law against the liquor traffic, nor to weaken or repeal the penalty clause in our statutory prohibition law, as we sincerely believe that the law has not as yet had a fair trial, the time of three years being too limited, while in some localities the authorities have failed to do their duty and enforce it.

Signed by

W. F. SMITH,
And Twenty-Eight Others.

Mr. Oliver moved

That the petition be referred to the Committee on Temperance,
Which motion prevailed.

Mr. Oliver moved

That the rules be suspended and that Senate Bill No. 12 be read the third time and placed upon its final passage,
Which motion prevailed.

Mr. Oliver asked unanimous consent to amend Senate Bill No. 12 by striking out in section 2 the words "and before the third Monday in February."

Mr. Ueland moved

To strike out "and before the third Monday in February" wherever the same occurs,

Which motion prevailed,
And the bill was so amended.

The question being upon the final passage of the bill.

The roll being called there were ayes 50, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hurley,	Plain,
Bentley,	James,	Rinde,
Bullard,	Johnson of Sargent,	Sanford,
Caldwell,	Johnson of G'd Forks,	Satterlund,
Churchill,	Johnston,	Simpson,
Cochrane,	Kelly,	Strom,
Davis,	Larson,	Thexton,
Deans,	Logan,	Thompson,
Ebbighausen,	Lohnes,	Towers,
Hagen,	McArthur,	Tufts,
Hall,	McCanna,	Ueland,
Hallum,	McLean,	Veeder,
Halyorson,	Newman,	Wallen,
Havrevold,	O'Keefe,	Wineman,
Hodgson,	Oksendahl,	Wright,
Holliday,	Oliver,	Yegen.
Horgan,	Pierce,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynnton,	Lee,	Severson,
Burkhardt,	Levang,	Southard,
Elliott,	McCulloch,	Wishek,
Haugen,	Ritter,	Mr. Speaker.

So the bill as amended passed and the title was agreed to.

Mr. Speaker announced his signature to Senate Bill No. 121,

A bill for an act to provide for the erection and construction of the south wing of the Capitol, for the issuance and sale of \$50,000 of bonds, and for the appraisal and sale of the lands granted the State for the purpose of erecting public buildings at the Capital.

Mr. Speaker called Mr. Benedict to the chair.

Mr. Oliver asked unanimous consent to have a bill relating to elevators engrossed at once and returned to the House,
Which consent was granted.

Mr. Newman asked unanimous consent to have House Bill No. 224 engrossed and returned to the House for its third reading and final passage,

Which consent was granted.

Mr. Ueland asked unanimous consent to take House Bill No. 226 from the Committee of the Whole and referred to the Judiciary Committee.

REPORTS OF STANDING COMMITTEES.

The Judiciary Committee made the following report:

MR. SPEAKER:

Your Judiciary Committee, to whom was referred

House Bill No. 52,

A bill for an act to amend chapter 1 of article 1 of the Political Code.

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 61,

A bill for an act to amend Section 3 of the Civil Code of 1877.

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 203,

A bill for an act to provide for the ascertaining and giving notice of the title of the lands of the heirs of deceased persons,

And recommend that the same do pass.

Also,

House Bill No. 214,

A bill for an act to provide for the trial of cases tried by the district court without a jury and for the hearing of such actions on appeal,

And recommend that the same be amended by adding after the words "must prevail," in the 17th line of section 1, of the printed bill, the words "and in all actions tried in the district court according to the provisions of this act, no exceptions need be taken on findings of fact made,"

And when so amended recommend that the same do pass.

SETH NEWMAN,
Chairman.

Mr. Newman moved

That the report of the Judiciary Committee on House Bill No. 214 be adopted,

Which motion prevailed.

The Judiciary Committee made the following report:

MR. SPEAKER:

Your Judiciary Committee, to whom was referred

House Bill No. 100,

A bill for an act providing for the establishment of courts of conciliation, and prescribing the mode of procedure in same,

Have had the same under consideration and recommend that the same be amended as follows:

After the word "at" in line 1 section 1, of the printed bill, the words "each general election for county and State offices," be stricken out and the words "the same time and in the same manner as the justices of the peace," be inserted in lieu thereof.

That in line 3 section 1, of the printed bill the words "six" be stricken out

and the word "four" be inserted in lieu thereof, so as to read "four commissioners, etc."

That in line 6 of section 1, as appears in the printed bill the words "county officers" be stricken out and the words "justices of the peace" be inserted in lieu thereof.

That after the words "writing to appear," in line 31 of section 2, of the printed bill the words "It shall be unlawful for any attorney-at-law to be present at such hearing, or in any way to appear for either of the parties, or otherwise, and if an attorney-at-law is present or in any way appears he shall be fined for contempt by the justice," be stricken out and the words "no attorney-at-law shall be allowed in any way to appear or act in any proceeding for either of the parties or otherwise," be inserted in lieu thereof.

And when so amended recommend that the same do pass.

SETH NEWMAN,
Chairman.

Mr. Newman moved

That the report of the Judiciary Committee on House Bill No. 100 be adopted,

Which motion prevailed.

The Judiciary Committee made the following report:

MR. SPEAKER:

Your Judiciary Committee, to whom was referred
House Bill No. 70,

A bill for an act to amend sections 478, 479, 484 and 485 of the Code of Civil Procedure of Dakota Territory, being sections 5292, 5293, 5298 and 5299 of the Compiled Laws, pertaining to taking, authenticating and excepting to depositions,

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 197,

A bill for an act to amend section 635 of the Code of Civil Procedure, being section 5449 of the Compiled Laws of Dakota,

And recommend that the same be indefinitely postponed.

SETH NEWMAN,
Chairman.

Mr. Newman moved

That the report of the Judiciary Committee on House Bill No. 197 be adopted,

Which motion prevailed.

The Committee on Judiciary made the following report:

MR. SPEAKER:

Your Committee on Judiciary, to whom was referred
House Bill No. 91,

A bill for an act to provide for the provisional remedy of garnishment in civil actions,

Have had the same under consideration and recommend that the same do pass.

Also,

Senate Bill No. 4,

A bill for an act to amend sections 82, 83 and 84 of article 3 of the Constitution of the State of North Dakota,

And recommend that the same be indefinitely postponed.

SETH NEWMAN,
Chairman.

Mr. Newman moved

That the report of the Judiciary Committee on Senate Bill No. 4 be adopted,

Which motion prevailed.

The Committee on Education made the following report:

MR. SPEAKER:

Your Committee on Education, to whom was referred Senate Bill No. 97,

A bill for an act to amend section 1 of chapter 62, Laws of 1891, relating to the salary of superintendent of schools,

Have had the same under consideration and recommend that the same be amended as follows:

1. Add and insert in last line of page 1, engrossed bill, before the word "fraction," the word "mayor."

2. In line numbered 18 of page 3, engrossed bill, after the word "county" and before the word "in," add and insert the word "auditor."

And when so amended recommend that the same do pass.

JOHN LOGAN,
Chairman.

Mr. Strom moved

That the report of the committee on Senate Bill No. 97 be adopted,

Which motion prevailed.

The Committee on Appropriations made the following report:

MR. SPEAKER:

Your Committee on Appropriations, to whom was referred Senate Bill No. 50,

A bill for an act providing for an appropriation for the maintenance and for making the needed permanent improvements of the State Normal School at Valley City, N. D.,

Have had the same under consideration and recommend that the same do pass.

Also,

Senate Bill No. 20,

A bill for an act making appropriation for maintenance of State University,

And recommend that the same do pass.

Also,

Senate Bill No. 36,

A bill for an act providing for an appropriation for the current and contingent expenses, furnishing and maintenance and for making needed permanent improvements for the Soldiers' Home at Lisbon,

And recommend that the same do pass.

Also,

Senate Bill No. 21,

A bill for an act providing for an appropriation for the erection of additional buildings and for the payment of the contingent expenses of the North Dakota Agricultural College at Fargo.

And recommend that the same be amended as follows:

Change the amount for incidental expenses, in the last line of the bill, from \$15,000 to \$10,000,

And when so amended recommend that the same do pass.

WM. A. BENTLEY,
Chairman.

Mr. Newman moved

That the report of the Committee on Senate Bill No. 21 be adopted,

Which motion prevailed.

The Committee on Appropriations made the following report:

MR. SPEAKER:

Your Committee on Appropriations, to whom was referred Senate Bill No. 34,

A bill for an act providing for an appropriation for the current and contingent expenses of the penitentiary at Bismarck, and for making needed permanent improvements thereat.

Have had the same under consideration and recommend that the same do pass.

Also,

Senate Bill No. 25,

A bill for an act for an appropriation for the erection of the North Dakota Reform school and for incidental and contingent expenses for the same,

And recommend that the same do pass.

Also,

Senate Bill No. 40,

A bill for an act to provide for the management of the State Normal School at Mayville, N. D.,

And recommend that the same do pass.

Also,

Senate Bill No. 54,

A bill for an act providing for an appropriation of money for the completion of the building for the school for the deaf and dumb and for contingent expenses thereto,

And recommend that the same do pass.

Also,

Senate Bill No. 55,

A bill for an act providing for the maintenance and for current and contingent expenses of the School for the Deaf and Dumb,

And recommend that the same do pass.

Also,

Senate Bill No. 113,

A bill for an act to reimburse the county of Pembina for expenses incurred in the small pox quarantine of August, 1892,

And recommend that the same do pass.

Also,

Senate Bill No. 77,

A bill for an act for an appropriation for new buildings for the Asylum for the Insane at Jamestown,

And recommend that the same do pass.

Also,

Senate Bill No. 72,

A bill for an act to amend chapter 24 of the Laws of 1890 by inserting therein section 6 and amending its title,

And recommend that the same do pass.

Also,

Senate Bill No. 85,

A bill for an act appropriating money from the State Treasury not otherwise appropriated to recompense the county auditor of Stark county for services in making out and extending the tax lists and making abstracts of the same, and in doing and

performing all the other acts that the law provides that he shall do and perform in the assessment and collection of State tax in the unorganized counties of Dunn, McKenzie, Wallace, Allred and Hettinger in the years 1891 and 1892,

And recommend that the same do pass.

Also,

Senate Bill No. 62,

A bill for an act appropriating money from the State Treasury not otherwise appropriated to recompense the county auditor of Ward for services in making out and extending the tax lists and making abstracts of the same, and in doing and performing all the other acts that the law provides that he shall do and perform in the assessment and collection of the State tax in the unorganized counties of Buford, Montraille, Flannery and Renville in the years 1890, 1891 and 1892,

And recommend that the same do pass.

Also,

House Bill No. 198,

A bill for an act to appropriate the sum of one hundred and forty-six and 10-100 dollars for services and expenses as member of Investigation Committee appointed by the Governor in accordance with concurrent resolution of this Legislative assembly,

And recommend that the same do pass.

Also,

House Bill No. 199,

A bill for an act to appropriate the sum of one hundred and seventy and 20-100 dollars for service and expense of a member of the Investigation Committee appointed by the Governor in accordance with concurrent resolution of this Legislative Assembly,

And recommend that the same be amended as follows:

That the title be amended so as to read "one hundred seventy-six dollars and twenty cents (\$176.20)" instead of "one hundred seventy dollars and twenty cents (\$170.20)" wherever it occurs in letters or figures, and that section 1 of the bill be amended by adding after "\$170.20" in figures at the commencement of the ninth line of the section, by inserting "and six dollars (\$6)" to Minnie B. Jones for services as typewriter,

And when so amended recommend that the same do pass.

WM. A. BENTLEY,
Chairman.

Mr. McCanna moved

That the report of the Appropriation Committee on House Bill No. 199 be adopted,

Which motion prevailed.

Mr. Oliver moved

That House Bill No. 194 be made a special order for 2 o'clock tomorrow afternoon,

Which motion prevailed.

Mr. McCanna asked unanimous consent to amend House Bill No. 74 as follows:

Add to section 2, line 3: "And that it shall be the duty of the State's Attorney and Attorney General to enforce the provisions of this act in the name of the State,"

Which consent was granted and the bill was so amended.

Mr. Wallen presented the following resolution:

Resolved, By the Mayville fire department, that we view the measure designated as Senate Bill No. 102, introduced by Senator Burke, having for its object the improvement and growth of the volunteer fire association of this State, as seeking to promote one of the State's most useful agencies. That the great hazard to which is exposed the large mass of private property concentrated in our smaller towns, not yet enjoying the protection afforded by stone, brick and metallic structures, demands the enlargement and encouragement of the only means that for years yet must constitute our only defense against the destructive conflagration, which in numerous instances has swept away the accumulated savings of our citizens, useful to the individual and of revenue value to State and community.

Resolved, That we ask the careful consideration of the merits of the proposed law by our senator and representatives and their support and vote, in committee and session, when the same comes before them.

Resolved, That copies of this resolution be forwarded to our senator and representatives.

I, S. J. Johnson, clerk of the fire department of the City of Mayville, Traill County, North Dakota, do hereby certify that the foregoing is a true and correct copy of the original resolution passed at a meeting of said department, held February 20, 1893.

INTRODUCTION AND FIRST READING OF BILLS, JOINT RESOLUTIONS
AND MEMORIALS.

Mr. Larson introduced—

House Bill No. 242,

A bill for an act to amend section 55 of chapter 132 of the Laws of 1890,

Which was read the first time.

Mr. Ebbinghausen introduced—

House Bill No. 243,

A bill for an act to amend section 3 of chapter 91 of the Session Laws of 1891, for the purpose of including all lands in its provisions and requiring a judgment to be obtained to make the expense a tax on the land,

Which was read the first time.

Mr. Deans introduced—

House Bill No. 244,

A bill for an act to amend section 2 of chapter 169 of the Laws of 1890, entitled "An act fixing the times and places of holding general and special terms of the Supreme Court of the State of North Dakota and providing for the expenses incident thereto,"

Which was read the first time.

Mr. Bentley introduced—

House Bill No. 245,

A bill for an act entitled "An act requiring counties to pay the expenses of conveying patients to the Hospital for the Insane at Jamestown and prisoners to the Penitentiary at Bismarck,"

Which was read the first time.

Mr. Cochrane introduced—

House Bill No. 246,

A bill for an act authorizing the refunding of outstanding city bonds and warrants,

Which was read the first time.

Mr. Strom introduced—

House Bill No. 247,

A bill for an act to amend section 29 of chapter 132 of the Laws of 1890, entitled "Revenue and Taxation."

SECOND READING OF HOUSE BILLS.

House Bill No. 241,

A bill for an act to revise and consolidate the Laws of this State providing for the drainage of swamps, marshes and other low lands and to repeal the act of March, one thousand eight hundred eighty-three (Laws of 1883, chapter 75, page 177), and all amendments thereof.

Was read the second time and referred to the Committee on Agriculture.

Mr. Hurley moved

That House Bill No. 241 be referred to the Judiciary Committee,
Which motion prevailed.

House Bill No. 235,

A bill for an act to provide for the publication and distribution of 500 copies of the Revenue Law as amended,

Was read the second time and referred to the Committee on Public Printing.

House Bill No. 236,

A bill for an act to amend section 4 of chapter 76 of the Laws of 1891,

Was read the second time and referred to the Committee on Forestry.

House Bill No. 237,

A bill for an act to authorize the organization of societies for mutual protection against larcenies of live stock,

Was read the second time and referred to the Judiciary Committee.

House Bill No. 229,

A bill for an act to enable land owners of lands to drain and reclaim them, prescribing the powers and duties of county commissioners and other officers in the premises, and to provide for repairing and enlarging such drains,

Was read the second time and referred to the Judiciary Committee.

House Bill No. 231,

A bill for an act prescribing the duties of county treasurers and to provide for the care and safe keeping of public funds,

Was read the second time and referred to Special Committee, Mr. Oliver, Chairman.

House Bill No. 239,

A bill for an act to amend section 79 of chapter 132 of the Laws of 1890, being an act entitled "An act prescribing the mode of making assessment and the levy and collection of taxes and for other purposes relative thereto,"

Was read the second time and referred to the Committee on Taxation and Tax Laws.

Mr. Newman moved

That the rules be suspended and that the House proceed to the consideration of appropriation bills,

Which motion prevailed.

THIRD READING OF SENATE BILLS.

Senate Bill No. 20,

A bill for an act making appropriation for maintenance of State University,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 52, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hurley,	Plain,
Bentley,	James,	Rinde,
Boynton,	Johnson of Sargent,	Sanford,
Bullard,	Johnson of G'd Forks,	Satterlund,
Caldwell,	Johnston,	Simpson,
Churchill,	Kelly,	Strom,
Cochrane,	Larson,	Thexton,
Davis,	Logan,	Thompson,
Deans,	Lohnes,	Towers,
Ebbighausen,	McArthur,	Tufts,
Hagen,	McCanna,	Ueland,
Hallum,	McLean,	Veeder,
Halvorson,	Newman,	Wallen,
Haugen,	O'Keefe,	Wineman,
Havrevold,	Oksendahl,	Wishek,
Hodgson,	Oliver,	Wright,
Holliday,	Pierce,	Yegen.
Horgan,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Burkhardt,	Levang,	Severson,
Elliott,	McCulloch,	Southard,
Hall,	Ritter,	Mr. Speaker.
Lee,		

Messrs. Burkhardt, Elliott, Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 36,

A bill for an act providing for an appropriation for the current and contingent expenses, furnishing and maintenance and for making needed permanent improvements for the Soldiers' Home at Lisbon,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 51, nays 2.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Holliday,	Oliver,
Bentley,	Horgan,	Pierce,
Boynton,	Hurley,	Plain,
Bullard,	James,	Sanford,
Caldwell,	Johnson of Sargent,	Satterlund,
Churchill,	Johnson of G'd Forks,	Simpson,
Cochrane,	Johnston,	Strom,
Davis,	Kelly,	Thexton,
Deans,	Larson,	Towers,
Ebbighausen,	Logan,	Tufts,
Hagen,	Lohnes,	Ueland,
Hall,	McArthur,	Veeder,
Hallum,	McCanna,	Wallen,
Halvorson,	McLean,	Wineman,

Messrs—	Messrs—	Messrs—
Haugen,	Newman,	Wishek.
Havrevold,	O'Keefe,	Wright,
Hodgson,	Oksendahl,	Yegen.

Messrs. Rinde and Thompson voting in the negative.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Burkhardt,	Levang,	Severson,
Elliott,	McCulloch,	Southard,
Lee,	Ritter,	Mr. Speaker.

Messrs. Burkhardt, Elliott, Ritter, Severson, Southard and Mr. Speaker being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 72.

A bill for an act to amend chapter 24 of the Laws of 1890 by inserting therein section 6 and amending its title,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 46, nays 5.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Horgan,	Pierce,
Bentley,	Hurley,	Plain,
Boynton,	James,	Satterlund,
Caldwell,	Johnson of G'd Forks,	Simpson,
Churchill,	Johnson of Sargent,	Strom,
Cochrane,	Johnston,	Thexton,
Davis,	Kelly,	Towers,
Deans,	Larson,	Tufts,
Ebbighausen,	Logan,	Ueland,
Hagen,	Lohnes,	Veeder,
Hall,	McCanna,	Wallen,
Halvorson,	McLean,	Wineman,
Haugen,	Newman,	Wishek,
Havrevold,	O'Keefe,	Wright,
Hodgson,	Oliver,	Yegen.
Holliday,		

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Bullard,	Rinde,	Thompson,
McArthur,	Sanford,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Burkhardt,	Levang,	Severson,
Elliott,	McCulloch,	Southard,
Hallum,	Oksendahl,	Mr. Speaker.
Lee,	Ritter,	

Messrs. Burkhardt, Elliott, Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 40,

A bill for an act to provide for the management of the State Normal School at Mayville, N. D.,

Was read the third time and placed upon its final passage.

The question being on the final passage of the bill.

The roll being called there were ayes 49, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Horgan,	Pierce,
Bentley,	Hurley,	Rinde,
Boynton,	James,	Sanford,
Bullard,	Johnson of Sargent,	Satterlund,
Caldwell,	Johnson of G'd Forks,	Simpson,
Churchill,	Johnston,	Strom,
Cochrane,	Kelly,	Thexton,
Davis,	Larson,	Thompson,
Ebbighausen,	Logan,	Tufts,
Hagen,	Lohnes,	Ueland,
Hall,	McArthur,	Veeder,
Hallum,	McCanna,	Wallen,
Halvorson,	McLean,	Wineman,
Haugen,	Newman,	Wishek,
Havrevold,	O'Keefe,	Wright,
Hodgson,	Oliver,	Yegen.
Holliday,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Burkhardt,	McCulloch,	Severson,
Deans,	Oksendahl,	Southard,
Elliott,	Plain,	Towers,
Lee,	Ritter,	Mr. Speaker.
Levang,		

Messrs. Burkhardt, Elliott, Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 21,

A bill for an act providing for an appropriation for the erection of additional buildings and for the payment of the contingent expenses of the North Dakota Agricultural College at Fargo,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 47, nays 2.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	James,	Sanford,
Bentley,	Johnson of Sargent,	Satterlund,
Boynton,	Johnson of G'd Forks,	Simpson,
Bullard,	Johnston,	Strom,
Caldwell,	Kelly,	Thexton,
Churchill,	Larson,	Thompson,
Cochrane,	Logan,	Towers,
Hagen,	Lohnes,	Tufts,
Hall,	McArthur,	Ueland,
Halvorson,	McCanna,	Veeder,
Haugen,	McLean,	Wallen.
Havrevold,	Newman,	Wineman,
Hodgson,	O'Keefe,	Wishek,
Holliday,	Oliver,	Wright,
Horgan,	Pierce,	Yegen.
Hurley,	Plain,	

Messrs. Deans and Rinde voting in the negative.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Burkhardt,	Lee,	Ritter,
Davis,	Levang,	Severson,
Ebbighausen,	McCulloch,	Southard,
Elliott,	Oksendahl,	Mr. Speaker.
Hallum,		

Messrs. Burkhardt, Elliott, Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 50,

A bill for an act providing for an appropriation for the maintenance and for making the needed permanent improvements of the State Normal School at Valley City, N. D.,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 50, nays none.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hurley,	Rinde,
Bentley,	James,	Sanford,
Boynton,	Johnson of G'd Forks,	Satterlund,
Bullard,	Johnson of Sargent,	Simpson,
Caldwell,	Johnston,	Strom,
Churchill,	Kelly,	Thexton.
Cochrane,	Larson,	Thompson,
Davis,	Logan,	Towers,
Deans,	Lohnes,	Tufts,
Hagen,	McArthur,	Ueland.
Hall,	McCanna,	Veeder,

Messrs—	Messrs—	Messrs—
Halvorson,	McLean,	Wallen,
Haugen,	Newman,	Wineman,
Havrevold,	O'Keefe,	Wishek,
Hodgson,	Oliver,	Wright,
Holliday,	Pierce,	Yegen.
Horgan,	Plain,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Burkhardt,	Lee,	Ritter,
Ebbighausen,	Levang,	Severson,
Elliott,	McCulloch,	Southard,
Hallum,	Oksendahl,	Mr. Speaker.

Messrs. Burkhardt, Elliott, Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 34,

A bill for an act providing for an appropriation for the current and contingent expenses of the penitentiary at Bismarck, and for making needed permanent improvements thereat,

Was read the third time and placed upon its final passage.

The question being on the final passage of the bill.

The roll being called there were ayes 49, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	James,	Rinde,
Bentley.	Johnson of Sargent,	Sanford,
Boynton,	Johnson of G'd Forks,	Satterlund,
Bullard,	Johnston,	Simpson,
Caldwell,	Kelly,	Strom,
Churchill,	Larson,	Thexton,
Cochrane,	Logan,	Thompson,
Davis,	Lohnes,	Towers,
Deans,	McArthur,	Tufts,
Hagen,	McCanna,	Ueland,
Hall,	McLean,	Veeder,
Halvorson,	Newman,	Wallen,
Haugen,	O'Keefe,	Wineman,
Havrevold,	Oliver,	Wishek,
Holliday,	Pierce,	Wright,
Horgan,	Plain,	Yegen.
Hurley,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Burkhardt,	Lee,	Ritter,
Ebbighausen,	Levang,	Severson,
Elliott,	McCulloch,	Southard,
Hallum,	Oksendahl,	Mr. Speaker.
Hodgson,		

Messrs. Burkhardt, Elliott, Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 77,

A bill for an act for an appropriation for the current and contingent expenses of the Hospital for the Insane at Jamestown,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 46, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Johnson of Sargent,	Rinde,
Bentley,	Johnson of G'd Forks,	Sanford,
Boynton,	Johnston,	Satterlund,
Bullard,	Kelly,	Simpson,
Caldwell,	Larson,	Strom,
Churchill,	Logan,	Thexton,
Cochrane,	Lohnes,	Towers,
Davis,	McArthur,	Tufts,
Deans,	McCanna,	Ueland,
Halvorson,	McLean,	Veeder,
Haugen,	Newman,	Wallen,
Havrevold,	O'Keefe,	Wineman,
Holliday,	Oliver,	Wishek,
Horgan,	Pierce,	Wright,
Hurley,	Plain,	Yegen,
James,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Burkhardt,	Hodgson,	Ritter.
Ebbighausen,	Lee,	Severson,
Elliott,	Levang,	Southard,
Hagen,	McCulloch,	Thompson,
Hall,	Oksendahl,	Mr. Speaker.
Hallum,		

Messrs. Burkhardt, Elliott, Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 55,

A bill for an act providing for the maintenance and for current and contingent expenses of the School for the Deaf and Dumb,

Was read the third time and placed upon its final passage.

The question being on the final passage of the bill.

The roll being called there were ayes 46, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Johnson of G'd Forks,	Sanford,
Bentley,	Kelly,	Satterlund,
Boynton,	Larson,	Simpson,

Messrs—	Messrs—	Messrs—
Bullard,	Logan,	Strom,
Caldwell,	Lohnes,	Thexton,
Churchill,	McArthur,	Thompson,
Cochrane,	McCanna,	Towers,
Davis,	McLean,	Tufts,
Deans,	Newman,	Ueland,
Halvorson,	O'Keefe,	Veeder,
Haugen,	Oksendahl,	Wallen,
Havrevold,	Oliver,	Wineman,
Holliday,	Pierce,	Wishek,
Horgan,	Plain,	Wright,
Hurley,	Rinde,	Yegen.
James,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Burkhardt,	Hodgson,	McCulloch,
Ebbighausen,	Johnson of Sargent,	Ritter,
Elliott,	Johnston,	Severson,
Hagen,	Lee,	Southard,
Hall,	Levang,	Mr. Speaker.
Hallum,		

Messrs. Burkhardt, Elliott, Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 25,

A bill for an act for an appropriation for the erection of the North Dakota Reform School and for incidental and contingent expenses for the same,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 47, nays 1.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hurley,	Pierce,
Bentley,	James,	Sanford,
Boynton,	Johnson of Sargent,	Satterlund,
Bullard,	Johnson of G'd Forks,	Simpson,
Churchill,	Johnston,	Strom,
Cochrane,	Kelly,	Thexton,
Davis,	Larson,	Towers,
Deans,	Logan,	Tufts,
Ebbighausen,	Lohnes,	Ueland,
Hagen,	McArthur,	Veeder,
Hall,	McCanna,	Wallen,
Halvorson,	McLean,	Wineman,
Haugen,	Newman,	Wishek,
Havrevold,	O'Keefe,	Wright,
Holliday,	Oksendahl,	Yegen,
Horgan,	Oliver.	

Mr. Rinde voting in the negative.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Burkhardt,	Lee,	Severson.
Caldwell,	Levang,	Southard,
Elliott,	McCulloch	Thompson,
Hallum,	Plain,	Mr. Speaker.
Hodgson,	Ritter,	

So the bill passed and the title was agreed to.

Senate Bill No. 54,

A bill for an act providing for an appropriation of money for the completion of the building for the school for the deaf and dumb and for contingent expenses thereto,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 47, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hurley,	Sanford,
Bentley,	James,	Satterlund,
Boynton,	Johnson of Sargent,	Simpson,
Bullard,	Johnson of G'd Forks,	Strom,
Caldwell,	Johnston,	Thexton,
Churchill,	Kelly,	Thompson.
Cochrane,	Larson,	Towers,
Davis,	Lohnes,	Tufts,
Deans,	McArthur,	Ueland,
Hagen,	McCanna,	Veeder,
Hall,	McLean,	Wallen.
Hallum,	Newman,	Wineman,
Halvorson,	O'Keefe,	Wishek,
Haugen,	Oliver,	Wright,
Havrevold,	Pierce,	Yegen.
Horgan,	Rinde,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Burkhardt,	Lee,	Plain,
Ebbighausen,	Levang,	Ritter,
Elliott,	Logan,	Severson,
Hodgson,	McCulloch,	Southard,
Holliday,	Oksendahl,	Mr. Speaker.

Messrs. Burkhardt, Elliott, Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 85,

A bill for an act appropriating money from the State Treasury not otherwise appropriated to recompense the county treasurer of Stark county for services in making out and extending the tax lists and making abstracts of the same, and in doing and performing all the other acts that the law provides that he shall do and perform in the assessment and collection of State tax in the un-

organized counties of Dunn, McKenzie, Wallace, Allred and Hettinger in the years 1891 and 1892,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 45, nays 3.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Horgan,	Oliver,
Bentley,	Hurley,	Pierce,
Boynton,	James,	Plain,
Bullard,	Johnson of Sargent,	Rinde,
Caldwell,	Johnson of G'd Forks,	Satterlund,
Churchill,	Johnston,	Simpson,
Cochrane,	Kelly,	Strom,
Davis,	Larson,	Towers,
Deans,	Logan,	Tufts,
Ebbighausen,	Lohnes,	Ueland,
Hagen,	McArthur,	Veeder,
Hall,	McCanna,	Wineman,
Halvorson,	McLean,	Wishek,
Haugen,	Newman,	Wright,
Havrevold,	O'Keefe,	Yegen.

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Hallum,	Oksendahl,	Sanford.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Burkhardt,	Levang,	Thexton,
Elliott,	McCulloch,	Thompson,
Hodgson,	Ritter,	Wallen,
Holliday,	Severson,	Mr. Speaker.
Lee,	Southard,	

Messrs. Burkhardt, Elliott, Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 62,

A bill for an act appropriating money from the State Treasury not otherwise appropriated to recompense the county auditor of the county of Ward for services in making out and extending the tax lists and making abstracts of the same, and in doing and performing all the other acts that the law provides that he shall do and perform, and in the assessment and collection of the State tax in the unorganized counties of Buford, Montraille, Flannery and Renville in the years 1890, 1891 and 1892,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 46, nays none.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Horgan,	Oliver,
Bentley,	Hurley,	Pierce,
Boynton,	James,	Plain,
Bullard,	Johnson of Sargent,	Rinde,
Caldwell,	Johnson of G'd Forks,	Satterlund,
Churchill,	Johnston,	Simpson,
Cochrane,	Kelly,	Strom,
Davis,	Larson,	Thexton,
Ebbighausen,	Logan,	Tufts,
Hagen,	Lohnes,	Ueland,
Hall,	McArthur,	Veeder,
Hallum,	McCanna,	Wallen,
Halvorson,	McLean,	Wishek,
Haugen,	Newman,	Wright,
Havrevold,	Oksendahl,	Yegen.
Holliday,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Burkhardt,	McCulloch,	Southard,
Deans,	O'Keefe,	Thompson,
Elliott,	Ritter,	Towers,
Hodgson,	Sanford,	Wineman,
Lee,	Severson,	Mr. Speaker.
Levang,		

Messrs. Burkhardt, Elliott, Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

House Bill No. 198,

A bill for an act to appropriate the sum of \$156.10 for services and expenses as member of investigating committee appointed by the Governor in accordance with Concurrent Resolution of this Legislative Assembly,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 50, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Holliday,	Oliver,
Bentley,	Horgan,	Pierce,
Boynton,	Hurley,	Plain,
Bullard,	James,	Rinde,
Caldwell,	Johnson of Sargent,	Sanford,
Churchill,	Johnson of G'd Forks,	Simpson,
Cochrane,	Johnston,	Strom,
Davis,	Kelly,	Thexton,
Deans,	Larson,	Thompson,
Ebbighausen,	Logan,	Towers,
Hagen,	Lohnes,	Tufts,

Messrs—	Messrs—	Messrs—
Hall,	McArthur,	Veeder,
Hallum,	McCanna,	Wallen,
Halvorson,	McLean,	Wishek,
Haugen,	Newman,	Wright,
Havrevold,	O'Keefe,	Yegen.
Hodgson,	Oksendahl,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Burkhardt,	McCulloch,	Southard,
Elliott,	Ritter,	Ueland,
Lee,	Satterlund,	Wineman,
Levang,	Severson,	Mr. Speaker.

Messrs. Burkhardt, Elliott, Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

House Bill No. 199,

A bill for an act to appropriate the sum of \$170.20 for service and expense as a member of the investigating committee appointed by the Governor in accordance with Concurrent Resolution of this Legislative Assembly,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 50, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Horgan,	Pierce,
Bentley,	Hurley,	Plain,
Boynton,	James,	Sanford,
Bullard,	Johnson of Sargent,	Satterlund,
Caldwell,	Johnson of G'd Forks,	Simpson,
Churchill,	Johnston,	Strom,
Davis,	Kelly,	Thexton,
Deans,	Larson,	Thompson,
Ebbighausen,	Logan,	Towers,
Hagen,	Lohnes,	Tufts,
Hall,	McArthur,	Veeder,
Hallum,	McCanna,	Wallen,
Halvorson,	McLean,	Wineman,
Haugen,	Newman,	Wishek,
Havrevold,	O'Keefe,	Wright,
Hodgson,	Oksendahl,	Yegen.
Holliday,	Oliver,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Burkhardt,	Levang,	Severson,
Cochrane,	McCulloch,	Southard,
Elliott,	Rinde,	Ueland,
Lee,	Ritter,	Mr. Speaker.

Messrs. Burkhardt, Elliott, Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

Mr. Oliver moved

That the vote by which all of the appropriation bills passed be reconsidered and the motion to reconsider be laid on the table,
Which motion prevailed.

Mr. Wineman moved

That House Bill No. 87 be now taken up and placed upon its final passage,
Which motion prevailed.

House Bill No. 87,

A bill for an act to provide a suitable residence for the Chief Executive of the State of North Dakota,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 45, nays 7.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Holliday,	Plain,
Bentley,	Horgan,	Rinde,
Boynton,	James,	Sanford,
Bullard,	Johnson of G'd Forks,	Satterlund,
Caldwell,	Johnston,	Simpson,
Cochrane,	Kelly,	Strom,
Davis,	Logan,	Thompson,
Deans,	McArthur,	Towers,
Ebbighausen,	McCanna,	Tufts,
Hall,	McLean,	Ueland,
Hallum,	Newman,	Veeder,
Halvorson,	O'Keefe,	Wallen,
Haugen,	Oksendahl,	Wineman,
Havrevold,	Oliver,	Wishek,
Hodgson,	Pierce,	Yegen.

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Churchill,	Johnson of Sargent,	Thexton,
Hagen,	Larson,	Wright.
Hurley,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Burkhardt,	Lohnes,	Severson,
Elliott,	McCulloch,	Southard,
Lee,	Ritter,	Mr. Speaker.
Levang,		

Messrs. Burkhardt, Elliott, Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

Mr. McCanna moved

That the vote by which House Bill No. 87 passed be reconsidered and that the motion to reconsider be laid on the table,
Which motion prevailed.

Mr. Havrevold by unanimous consent introduced—
House Bill No. 248,

A bill for an act to provide for the licensing of elevators, warehouses and grain dealers,
Which was read the first time.

Also,
House Bill No. 249,

A bill for an act to amend section 11 of chapter 126 of the Laws of 1891, being an act entitled "An act to regulate grain warehouses and the weighing and handling of grain, and defining the duties of the Railroad Commissioners in relation thereto,"
Which was read the first time.

The Committee on Engrossed Bills made the following report:

MR. SPEAKER:

Your Committee on Engrossed Bills have examined
House Bill No. 205,

A bill for an act to amend section 510 of the Code of Civil Procedure,

And find the same correctly engrossed.

J. DEXTER PIERCE,
Chairman.

Mr. Speaker called Mr. Ueland to the chair.

House Bill No. 157,

A bill for an act granting right-of-way to railroad companies through public lands,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 49, nays none.

Those who voted in the affirmative were:

Messrs—

Benedict,
Bentley,
Bullard,
Caldwell,
Churchill,
Cochrane,
Davis,
Deans,
Ebbighausen,
Hagen,
Hall,
Hallum,
Halvorson,

Messrs—

James,
Johnson of Sargent,
Johnson of G'd Forks,
Johnston,
Kelly,
Larson,
Logan,
Lohnes,
McArthur,
McCanna,
McLean,
Newman,
O'Keefe,

Messrs—

Rinde,
Sanford,
Satterlund,
Simpson,
Strom,
Thexton,
Thompson,
Towers,
Tufts,
Ueland,
Veeder,
Wallen,
Wineman,

Messrs—	Messrs—	Messrs—
Haugen,	Oksendahl,	Wishek,
Hodgson,	Oliver,	Wright,
Holliday,	Pierce,	Yegen.
Hurley,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Lee,	Ritter,
Burkhardt,	Levang,	Severson,
Elliott,	McCulloch,	Southard,
Havrevold,	Plain,	Mr. Speaker.
Horgan,		

Messrs. Burkhardt, Elliott, Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

House Bill No. 205,

A bill for an act to amend section 510 of the Code of Civil Procedure, Compiled Laws, 5324,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 43, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hodgson,	Rinde,
Bentley,	Hurley,	Satterlund,
Boynton,	James,	Simpson,
Bullard,	Johnson of Sargent,	Strom,
Caldwell,	Johnson of G'd Forks,	Thexton,
Churchill,	Johnston,	Towers,
Cochrane,	Larson,	Tufts,
Davis,	Logan,	Ueland.
Deans,	McCanna,	Veeder,
Ebbighausen,	McLean,	Wallen,
Hagen,	Newman,	Wineman,
Hall,	O'Keefe,	Wishek,
Halvorson,	Oliver,	Wright,
Haugen,	Plain,	Yegen.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Burkhardt,	Lee,	Ritter,
Elliott,	Levang,	Sanford,
Hallum,	Lohnes,	Severson,
Havrevold,	McArthur,	Southard,
Holliday,	McCulloch,	Thompson.
Horgan,	Oksendahl,	Mr. Speaker.
Kelly,	Pierce,	

Messrs. Burkhardt, Elliott, Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

House Bill No. 184,

A bill for an act to amend divisions 1 and 2 of section 16 of an act entitled "An act prescribing the mode of making assessment and the levy and collection of taxes, and for other purposes relative thereto,"

Was read the third time and placed upon the final passage.

Mr. Cochrane asked unanimous consent to add an emergency clause,

Which consent was granted and the emergency clause was added.

The question being upon the passage of the bill as amended.

The roll being called there were ayes 36, nays 8.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Haugen,	Oksendahl,
Bentley,	Holliday,	Oliver,
Boynton,	Horgan,	Pierce,
Bullard,	Hurley,	Sanford,
Churchill,	James,	Satterlund,
Cochrane,	Johnson of G'd Forks,	Simpson,
Davis,	Johnston,	Ueland,
Deans,	Lohnes,	Veeder,
Ebbighausen,	McCanna,	Wineman,
Hall,	McLean,	Wishek,
Hallum,	Newman,	Wright,
Halvorson,	O'Keefe,	Yegen.

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Hagen,	Logan,	Strom,
Hodgson,	Plain,	Thexton.
Johnson of Sargent,	Rinde,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Burkhardt,	Lee,	Thompson,
Caldwell,	Levang,	Towers,
Elliott,	McArthur,	Tufts,
Havrevold,	Ritter,	Wallen,
Kelly,	Severson,	Mr. Speaker.
Larson,	Southard,	

Messrs. Burkhardt, Elliott, Ritter, Severson and Southard being excused.

So the bill as amended passed and the title was agreed to.

House Bill No. 191,

A bill for an act to amend section 60 of chapter 86 of the Laws of 1891, entitled "An act to provide a military code for the State of North Dakota,"

Was read the third time and placed upon its final passage.

The question being on the final passage of the bill.

The roll being called there were ayes 47, nays 1.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hurley,	Sanford,
Bentley,	James,	Satterlund,
Boynton,	Johnson of Sargent,	Simpson,
Bullard,	Johnson of G'd Forks,	Strom,
Caldwell,	Johnston,	Thexton.
Churchill,	Larson,	Thompson,
Cochrane,	Logan,	Towers,
Davis,	McCanna,	Tufts,
Deans,	McLean,	Ueland,
Ebbighausen,	Newman,	Veeder,
Hagen,	O'Keefe,	Wallen,
Hall,	Oksendahl,	Wineman,
Hallum,	Oliver,	Wishek,
Halvorson,	Pierce,	Wright,
Haugen,	Plain,	Yegen.
Horgan,	Rinde,	

Mr. McArthur voting in the negative.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Burkhardt,	Kelly,	Ritter,
Elliott,	Lee,	Severson,
Havrevold,	Levang,	Southard,
Hodgson,	Lohnes,	Mr. Speaker.
Holliday,	McCulloch,	

Messrs. Burkhardt, Elliott, Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

House Bill No. 74,

A bill for an act to require all railways in this State to run a train for freight and passenger traffic over their roads and all lines and branches thereof during each week day of the year,

Was read the third time and placed upon its final passage.

The question being on the final passage of the bill.

The roll being called there were ayes 48, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Horgan,	Plain,
Bentley,	Hurley,	Rinde,
Boynton,	James,	Sanford,
Bullard,	Johnson of Sargent,	Satterlund,
Caldwell,	Johnson of G'd Forks,	Simpson,
Churchill,	Johnston,	Strom,
Davis,	Kelly,	Thexton,
Deans,	Larson,	Thompson,
Ebbighausen,	Lohnes,	Towers,

Messrs—	Messrs—	Messrs—
Hagen,	McArthur,	Ueland,
Hall,	McCanna,	Veeder,
Hallum,	McLean,	Wallen,
Halvorson,	Newman,	Wineman,
Haugen,	O'Keefe,	Wishek,
Hodgson,	Oliver,	Wright,
Holliday,	Pierce,	Yegen.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Burkhardt,	Levang	Severson,
Cochrane,	Logan,	Southard,
Elliott,	McCulloch,	Tufts,
Havrevold,	Oksendahl,	Mr. Speaker.
Lee,	Ritter,	

Messrs. Burkhardt, Elliott, Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

Mr. McCanna moved

That the vote by which House Bill No. 74 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 124,

A bill for an act to prevent the spread of contagious and infectious diseases among domestic animals,

Was read the third time and placed upon its final passage.

The question being on the final passage of the bill.

Mr. Newman asked unanimous consent to amend House Bill No. 124 as follows:

Strike out the words "and said fees shall," section 16, line 18, of printed bill, and insert in lieu thereof "and a statement of the amount of such fees verified by the oath of the inspector shall be filed within thirty days after such inspection in the office of the register of deeds of the county in which such sheep are inspected and such amount shall then,"

The question being upon the passage of the bill as amended.

The roll being called there were ayes 37, nays 1.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Johnson of Sargent,	Sanford,
Bentley,	Johnson of G'd Forks	Satterlund,
Bullard,	Kelly,	Simpson,
Caldwell,	Larson,	Strom,
Churchill,	Logan,	Thexton,
Cochrane,	McArthur,	Towers,
Davis,	McCanna,	Tufts,
Hagen,	Newman,	Ueland,
Halvorson,	Oliver,	Veeder,
Hodgson,	Pierce,	Wallen,
Horgan,	Plain,	Wishek,
Hurley,	Rinde,	Yegen.
James,		

Mr. Deans voting in the negative.

Absent and not voting:

Messrs—

Boynton,
Burkhardt,
Ebbighausen,
Elliott,
Hall,
Hallum,
Haugen,
Havrevold,

Messrs—

Holliday,
Johnston,
Lee,
Levang,
Lohnes,
McCulloch,
McLean,
O'Keefe,

Messrs—

Oskendahl,
Ritter,
Severson,
Southard,
Thompson,
Wineman,
Wright,
Mr. Speaker.

Messrs. Burkhardt, Elliott, Ritter, Severson and Southard being excused.

So the bill as amended passed and the title was agreed to.

Mr. Oliver moved

That the House do now adjourn,

Which motion prevailed, and

The House adjourned.

J. G. HAMILTON,
Chief Clerk.

FIFTY-THIRD DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 24, 1893.

The House assembled at 10 a. m., pursuant to adjournment.
The House was called to order by J. G. Hamilton, Chief Clerk.
Prayer by the Chaplain.

Roll called.

All members present except Messrs. Lee, Ritter, Severson and Mr. Speaker.

Messrs. Ritter and Severson being excused.

Mr. Bentley was nominated for speaker for the day.

The roll being called there were 38 votes cast, of which Mr. Bentley received 38 votes.

Those who voted for Mr. Bentley were:

Messrs—	Messrs—	Messrs—
Benedict,	Hodgson,	Southard,
Boynton,	Hurley,	Strom,
Bullard,	Johnson of Sargent,	Thexton,
Burkhardt,	Johnston,	Thompson,
Caldwell,	Larson,	Towers,
Churchill,	Logan,	Tufts,
Cochrane,	Lohnes,	Ueland,
Davis,	McCanna,	Veeder,
Deans,	McCulloch,	Wallen,
Hagen,	Newman,	Wineman,
Hallum,	O'Keefe,	Wright,
Halvorson,	Oliver,	Yegen.
Haugen,	Simpson,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Johnson of G'd Forks,	Plain,
Ebbighausen,	Kelly,	Rinde,
Elliott,	Lee,	Ritter,
Hall,	Levang,	Sanford,
Halvorson,	McArthur,	Satterlund,
Holliday,	McLean,	Severson,
Horgan,	Oksendahl,	Wishek,
James,	Pierce,	Mr. Speaker.

Messrs. Ritter and Severson being excused.

So Mr. Bentley was elected speaker for the day, and Mr. Bentley took the chair.

The committee to revise and correct the Journal made the following report:

MR. SPEAKER:

Your committee to revise and correct the Journal of the fifty-second day have examined the same and recommend the following correction: On page 10 strike out "Wallace" and insert "Wallen," and with this correction recommend that the Journal be approved.

D. C. TUFTS,
Chairman.

There being no objection, the report was adopted and the Journal of the fifty-second day approved as corrected.

REPORTS OF STANDING COMMITTEES.

The Judiciary Committee made the following report:

MR. SPEAKER:

Your Judiciary Committee, to whom was referred House Bill No. 193,

A bill for an act to amend an act passed at the second session of the Legislative Assembly of the State of North Dakota, approved March 7, 1891, and entitled "An act to regulate the fees of clerks of the district courts of the State of North Dakota,"

Have had the same under consideration and herewith report and submit a substitute bill, endorsed "Substitute for House Bill No. 193," and recommend that said substitute bill do pass.

SETH NEWMAN,
Chairman.

Mr. Newman moved

That the report of the Judiciary Committee on House Bill No. 193 be adopted and that the rules be suspended and the substitute bill be read the first and second times,

Which motion prevailed.

Substitute for House Bill No. 193,

A bill for an act to amend an act passed at the Second Session of the Legislative Assembly of the State of North Dakota, approved March 7, 1891, and entitled "An act to regulate the fees of clerks of the district courts of the State of North Dakota,"

Was read the first and second times.

The Committee on Engrossed Bills made the following report:

MR. SPEAKER:

Your Committee on Engrossed Bills have examined House Bill No. 184,

A bill for an act to amend divisions 1 and 2 of section 16 of an act entitled "An act prescribing the mode of making assessment and the levy and collection of taxes, and for other purposes relative thereto."

Also,

House Bill No. 74,

A bill for an act to require all railways in this State to run a train for freight and passenger traffic over their roads and all lines and branches thereof during each week day of the year.

Also,

House Bill No. 199,

A bill for an act to appropriate the sum of \$170.20 for services and expenses as member of investigation committee, appointed by the Governor, in accordance with concurred resolution of this Legislature, of date January 23, 1893.

Also,

House Bill No. 198,

A bill for an act to appropriate the sum of \$146.10 for services and expenses as member of investigation committee, appointed by the Governor, in accordance with concurred resolution of this Legislature, of date January 23, 1893.

And find the same correctly engrossed.

O. S. WALLEN,
Acting Chairman.

The Judiciary Committee made the following report:

MR. SPEAKER:

Your Judiciary Committee, to whom was referred

House Bill No. 226,

A bill for an act to repeal section 5 of chapter 128 of the General Laws of 1891, entitled "An act to provide for the collection, arrangement and display of the products of the State of North Dakota at the World's Columbian Exposition, 1893,"

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 232,

A bill for an act to amend an act entitled "An act to provide for taxation of real and personal property situated in unorganized counties,"

And recommend the same do pass.

Also,

Senate Bill No. 108,

A bill for an act to regulate the sale and redemption of transportation tickets of common carriers,

And recommend the same do pass.

SETH NEWMAN,
Chairman.

The Committee on Educational Institutions made the following report:

MR. SPEAKER:

Your Committee on Educational Institutions, to whom was referred

House Bill No. 166,

A bill for an act naming a uniform title for the governing boards of the State educational institutions and designating certain ex-officio members of State boards,

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 186,

A bill for an act entitled "An act to provide for and establish an industrial school and school for manual training at Ellendale, in the county of Dickey and State of North Dakota, as provided for in subdivision 3 of section 16 of the Constitution of this State,"

And recommend the same be amended as follows:

(1) Amend Section 2 by adding at the end thereof the words following: "Each member of said board shall qualify by taking the Constitutional oath of office, and giving bond in such sum and with such sureties as the Governor shall approve."

(2) Amend Section 7 by striking out the word "ten" in first line of said Section, and inserting in lieu thereof the words "twenty-five," and by striking out the word "five" in line 6 of said section, as per printed bill, and inserting in lieu thereof the word "ten."

(3) Amend Section 12 by striking out the word "twenty" where it appears in the fourth line of said section, as per printed bill, and insert in lieu thereof the word "forty."

And when so amended recommend the same do pass.

JOHN N. DEANS,
Chairman.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

SENATE CHAMBER,
Bismarck, February 24, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith

Senate Bill No. 109,

A bill for an act to amend section 45 of chapter 62 of the General Laws of 1890.

Also,

Senate Bill No. 119,

A bill for an act appropriating money to insure a proper exhibit of North Dakota's resources at the Columbian Exposition, to be held at Chicago in 1893.

Also,

Senate Bill No. 128,

A bill for an act to amend section 4 of chapter 65 of the Session Laws of 1891, being an act entitled "An act to amend sections 2, 5, 6 and 11 of chapter 146 of the General Laws of 1890, entitled 'An act to provide for the leasing and sale of the common school lands of North Dakota,' " for the purpose of making specific appropriation by the Legislature to meet expenses that were therefor taken out of the interest and income of the permanent school fund, because the section so amended is in violation of the constitution.

Also,

Senate Bill No. 129,

A bill for an act to amend sections 48, 59, 62, 72 and 76 of chapter 62 of the Laws of 1890, being an act entitled "An act to provide for a uniform system of free public schools throughout the State and to prescribe penalties for violation of the provisions thereof."

Also,

Senate Bill No. 139,

A bill for an act to appropriate money to compensate the State of South Dakota for keeping, boarding and schooling North Dakota's refractory boys at the South Dakota Reform School.

Also,

Senate Bill No. 132,

A bill for an act authorizing and empowering the acquisition by the State of North Dakota of the parcel of land situated in the County of Pembina, known as the burial ground of the Selkirk settlement, and making an appropriation therefor.

Also,

Senate Bill No. 133,

A bill for an act to amend section 163, Session Laws of 1890.

Also,

Senate Bill No. 103,

A bill for an act to provide for the purchase of a site and for the erection of a State elevator at Duluth, Minnesota, or West Superior, Wisconsin, for public storage and the shipment of wheat, and the regulation thereof, and to appropriate money for that purpose.

All of which the Senate has passed and your favorable consideration thereof is respectfully requested;

Respectfully,

FRED FALLEY,
Secretary.

SENATE CHAMBER, }
Bismarck, February 24, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith the following:

CONCURRENT RESOLUTION.

Be it Resolved by the Senate, the House Concurring:

WHEREAS, There will be valuable exhibits from our State at the World's Columbian Exposition of 1893; and,

WHEREAS, Same is liable to go to waste unless placed under the care of some responsible parties; and,

WHEREAS, We believe that said exhibits would add greatly to the attractions of our State fair, and would, if transferred to the State Board of Agriculture be properly taken care of; therefore, be it

Resolved, That on the adjournment of the World's Columbian Exposition of 1893 all exhibits and all other matters and things of value expended by this State at said exposition, including such parts of the building as are portable and can be severed from the building and all exhibits and things donated to the State for said purpose, and the same is hereby transferred to the State Board of Agriculture, to forever remain the property of said board.

Be it further resolved, That upon the adjournment of the World's Columbian Exposition it shall be the duty of the board of World's Fair managers of North Dakota to transfer all exhibits and other things of value to the State Board of Agriculture, to be by said board kept at the place of the holding of our State fair.

Which the Senate has passed and your concurrence therein is respectfully requested.

Respectfully,
FRED FALLEY,
Secretary.

The Committee on Education made the following report:

MR. SPEAKER:

Your Committee on Education, to whom was referred
House Bill No. 129,

A bill for an act to amend section 137, chapter 13, Laws of 1891,
Have had the same under consideration and recommend that
the same be amended as follows:

Amend the title so as to read as follows:

(1) "A bill for an act to amend section 137 of chapter 62, Laws of 1890, as amended by section 27 of chapter 56, Laws of 1891, State of North Dakota."

(2) Amend first three lines of section 1, original bill, so as to read as follows:

SECTION 1. That section 137 of chapter 62, Laws of 1890, as amended by section 27 of chapter 56, Laws of 1891, State of North Dakota, be amended and re-enacted so as to read as follows:

And when so amended recommend that the same do pass.

JOHN LOGAN,
Chairman.

The Committee on State Affairs made the following report:

MR. SPEAKER:

Your Committee on State Affairs, to whom was referred

Senate Bill No. 69,

A bill for an act to reduce the salaries of Railroad Commissioners of the State of North Dakota from \$2,000 per year to \$100 per year from and after December 31, 1894,

Have had the same under consideration and report the same back to the House without recommendation.

L. A. UELAND,
Chairman.

Mr. McCanna moved

That Senate Bill No. 69 be referred to General Orders,
Which motion prevailed.

The Committee on State Affairs made the following report:

MR. SPEAKER:

Your Committee on State Affairs, to whom was referred
House Bill No. 220,

A bill for an act to require the school district treasurer to deposit district funds in designated depositories,

Have had the same under consideration and recommend that the same be re-referred to the Special Committee on Depositories for Public Funds.

Also,

Senate Bill No. 49,

A bill for an act prescribing the compensation of the lieutenant-governor while acting as governor,

And recommend that the same do pass.

L. A. UELAND,
Chairman.

The Committee on School and Public Lands made the following report:

MR. SPEAKER:

Your Committee on School and Public Lands, to whom was referred

Senate Bill No. 110,

A bill for an act to confirm the sale of 71,809.67 acres of university and school lands located in the counties of Pembina, Walsh, Grand Forks, Traill, Cass and Richland, of this State, to cure any alleged defect of title that may arise from the said sales having been made in April, 1892, instead of between April 15, 1891, and June 1, 1891, as required by chapter 146 of the Session Laws of 1890,

Have had the same under consideration and recommend that the same do pass.

D. C. TUFTS,
Chairman.

The Committee on Woman Suffrage made the following report:

MR. SPEAKER:

Your Committee on Woman Suffrage, to whom was referred
House Bill No. 238,

A bill for an act entitled an act granting the right of suffrage
to women,

Have had the same under consideration and recommend that
the same do pass.

L. P. HAVREVOLD,
Chairman.

Mr. Oliver moved

That House Bill No. 238 be referred to General Orders,
Which motion prevailed.

The Committee on Appropriations made the following report:

MR. SPEAKER:

Your Committee on Appropriations, to whom was referred
Senate Bill No. 88,

A bill for an act to provide protection from fire within the
Capitol Building,

Have had the same under consideration and recommend that
the same do pass.

WM. A. BENTLEY,
Chairman.

The Committee on Ways and Means made the following report:

MR. SPEAKER:

Your Committee on Ways and Means, to whom was referred
Senate Bill No. 61,

A bill for an act fixing the date for commencement and ending
of the fiscal year for the State of North Dakota,

Have had the same under consideration and recommend that
the same do pass.

W. F. COCHRANE,
Chairman.

The Committee on Appropriations made the following report:

MR. SPEAKER:

Your Committee on Appropriations, to whom was referred
Senate Bill No. 63,

A bill for an act appropriating money from the State Treasury
not otherwise appropriated to reimburse the county of Ward
for money paid by said county in the holding of coroners' in-
quests, in the expense of criminal trials, and in assessing and col-
lecting the State tax in the unorganized counties of Buford, Mon-
traille, Flannery and Renville in the years 1890, 1891 and 1892,

Have had the same under consideration and recommend that the
same do pass.

Also,

Senate Bill No. 116,

A bill for an act to provide for the better enforcement of the laws pertaining to cruelty to animals,

And recommend that the same do pass.

Also,

House Bill No. 165,

A bill for an act to establish a weather and crop service, the collection and dissemination of crop statistics and meteorological data,

And recommend that the same be amended as follows:

By striking out "\$2,000" in the third line of section 7 and inserting in place thereof "\$1,000," and by striking out all of section 7 after the words "provided for" in the fifth line and adding "the said amount of \$1,000, to be expended under the direction of the director provided for in section 2 of this act,"

And when so amended recommend that the same do pass.

Also,

House Bill No. 179,

A bill for an act entitled "An act to reimburse certain persons for labor performed and for other purposes,"

And recommend that the same do pass.

Also,

House Bill No. 167,

A bill for an act providing an appropriation to reimburse the State Board of Medical Examiners for per diem and mileage due them for services rendered as required by law,

And recommend that the same do pass.

Also,

House Bill No. 183,

A bill for an act providing for the annual expenses of the Board of University and School Lands and for the expenses of selecting and acquiring title to State institution lands,

And recommend that the same do pass.

Also,

House Bill No. 151,

A bill for an act requiring the Board of Railroad Commissioners to ascertain the value of No. 1 hard wheat in Duluth or West Superior, based on the Liverpool market price, and providing for the publication thereof,

And recommend that the same be amended as follows:

After the words "New York" and before the word "and" insert "and all other charges necessary in the marketing of a cargo of wheat at Liverpool,"

And when so amended recommend that the same do pass.

Also,

House Bill No. 51,

A bill for an act providing for the erection of a dormitory building for the State University,

And recommend that the same do not pass.

WM. A. BENTLEY,
Chairman.

A minority of the Committee on Appropriations made the following minority report:

MR. SPEAKER:

A minority of your Committee on Appropriations, to whom was referred

House Bill No. 51,

A bill for an act providing for the erection of a dormitory building for the State University at Grand Forks,

Have had the same under consideration and recommend that the same be amended as follows:

By striking out the words "fifty thousand dollars" wherever it occurs in the bill and in place thereof insert "twenty-five thousand dollars,"

And when so amended recommend that the same do pass.

J. B. WINEMAN,
ARNE P. HAUGEN,
Minority.

The Committee on Appropriations made the following report:

MR. SPEAKER:

Your Committee on Appropriations, to whom was referred

House Bill No. 154,

A bill for an act to provide for the better enforcement of the laws punishing cruelty to animals,

Have had the same under consideration and recommend that further consideration of the bill be indefinitely postponed, as a similar bill has passed the Senate and has been recommended to pass the House by this committee.

WM. A. BENTLEY,
Chairman.

The Committee on Insurance made the following report:

MR. SPEAKER:

Your Committee on Insurance, to whom was referred

House Bill No. 26,

A bill for an act to amend section 16 of chapter 78 of the General Laws of 1890, entitled "An act to amend section 16 of chapter 69 of the General Laws of 1885, and section 10, chapter 69 of the General laws of 1889, relating to the publication of insurance statements,"

Have had the same under consideration and recommend that the same do pass.

G. S. CHURCHILL,
Chairman.

The Committee on Appropriations made the following report:

MR. SPEAKER:

Your Committee on Appropriations, to whom was referred
House Bill No. 89,

A bill for an act for an appropriation for new buildings for the
Asylum for the Insane at Jamestown,

Have had the same under consideration and recommend that
the same do not pass.

Also,

House Bill No. 185,

A bill for an act to appropriate twenty-five thousand dollars
(\$25,000) for the building and erection of an industrial school
building at Ellendale, in this State, and to maintain the school,

And recommend that the same do not pass.

Also,

House Bill No. 97,

A bill for an act to provide for the payment of contingent ex-
penses incurred by the Commissioner of Agriculture,

And recommend that the same do not pass.

Also,

House Bill No. 140,

A bill for an act making an appropriation for necessary build-
ings and improvements of the grounds now owned by the State
for State fair purposes,

And recommend that the same do not pass.

WM. A. BENTLEY,
Chairman.

A minority of the Committee on Appropriations made the fol-
lowing minority report:

MR. SPEAKER:

A minority of your Committee on Appropriations, to whom was
referred

House Bill No. 140,

Have had the same under consideration and recommend that
the same be amended as follows:

By striking out twenty-five thousand dollars in letters or figures wherever
it occurs in the bill, and insert in its place the sum of ten thousand dollars.

And when so amended recommend that the same do pass.

J. B. WINEMAN,
ARNE P. HAUGEN,
Minority.

The Committee on Appropriations made the following report:

MR. SPEAKER:

Your Committee on Appropriations, to whom was referred
House Bills Nos. 10, 11, 88 and 27,

Appropriating money for the Asylum at Jamestown, and the Deaf and Dumb school at Devils Lake, and for the Soldiers' Home at Lisbon,

Have had the same under consideration and recommended that the further consideration of the same be indefinitely postponed, for the reason that similar Senate bills have passed both Houses.

WM. A. BENTLEY,
Chairman.

Mr. McLean presented the following concurrent resolution:

CONCURRENT RESOLUTION.

Be it Resolved by the House of Representatives, the Senate Concurring:

That the following amendment providing for repeal by the vote of the people of article 20, entitled "Prohibition," of the constitution of the State of North Dakota, be referred to the next Legislative Assembly of said State, to be chosen at the next general election after the passage of this resolution, to be by said Legislative Assembly submitted for rejection or adoption to the people, as provided in article 15, entitled "Future Amendments," of the constitution of the State of North Dakota:

Amendment: That article 20 of the constitution of the State of North Dakota, the same being the article entitled "Prohibition," in said constitution, is hereby repealed.

Mr. McLean moved

That the concurrent resolution be made a special order for Tuesday, February 28, at 2 o'clock p. m.

Mr. Haugen moved

As a substitute motion, that the concurrent resolution be referred to the Committee on Temperance.

Roll call demanded.

The roll being called there were ayes 22, nays 32.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hurley,	Strom,
Bullard,	Johnson of Sargent,	Thompson,
Caldwell,	Logan,	Towers,
Elliott,	McArthur,	Tufts,
Hagen,	McCulloch,	Ueland,
Halvorson,	Pierce,	Wallen,
Haugen,	Rinde,	Wright.
Hodgson,		

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Bentley,	Horgan,	Plain,
Burkhardt,	Johnson of G'd Forks,	Sanford,
Churchill,	Johnston,	Satterlund,
Cochrane,	Kelly,	Simpson,
Davis,	Larson,	Southard,
Deans,	Lohnes,	Thexton,
Ebbighausen,	McCanna,	Veeder,
Hall,	McLean,	Wineman,

Messrs—	Messrs—	Messrs—
Hallum,	Newman,	Wishek,
Havrevold,	O'Keefe,	Yegen.
Holliday,	Oksendahl,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Levang,	Severson,
James,	Oliver,	Mr. Speaker.
Lee,	Ritter,	

Messrs. Ritter and Severson being excused.

So the substitute motion was lost.

The question recurring upon the original motion.

Which motion prevailed and the Concurrent Resolution was made a special order for Tuesday, February 28.

Mr. Strom, by unanimous consent, presented the following resolution:

Be it Resolved by the House of Representatives of the State of North Dakota:

That the chairman and secretary of the World's Fair Board of this State be requested to report to this body without delay the items of expenditure to date, including all outstanding liabilities the board has made and the specific items of expense for which it needs the fifteen thousand dollar (\$15,000) appropriation it now asks for.

Mr. Strom moved

That the resolution be adopted,

Which motion prevailed.

INTRODUCTION AND FIRST READING OF HOUSE BILLS, JOINT RESOLUTIONS AND MEMORIALS.

Mr. Newman introduced—

House Bill No. 250,

A bill for an act to provide for the acquiring, holding and transfer of real property by aliens,

Which was read the first time.

Also,

House Bill No. 251,

A bill for an act to fix the compensation of State's attorneys of the State of North Dakota,

Which was read the first time.

Mr. Hurley introduced—

House Bill No. 252,

A bill for an act to provide for the better improvement of public highways,

Which was read the first time.

Mr. Hurley moved

That House Bill No. 252 have its second reading and be referred to the Judiciary Committee,

Which motion prevailed,
And the bill was read the second time and so referred.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

SENATE CHAMBER,
Bismarck, February 24, 1893. }

MR. SPEAKER:

I have the honor to inform you that the Senate has concurred in the House amendments to Senate Bill No. 21,

A bill for an act providing for an appropriation for the erection of additional buildings and for the payment of the contingent expenses of the North Dakota Agricultural College at Fargo.

Also,

Senate Bill No. 12,

A bill for an act to amend section 2, chapter 123, Session Laws of 1891, entitled "An act to amend section 2, chapter 161 of Session Laws of 1890," entitled "An act to create an institute for the education of the deaf and dumb of North Dakota and providing for its support and management."

Also,

Senate Bill No. 19,

A bill for an act to change the boundaries of the counties of Stark and Mercer.

Respectfully,

FRED FALLEY,
Secretary.

Mr. Oliver (at the request of the Attorney General) introduced—
House Bill No. 240,

A bill for an act to regulate the manner in which individuals, firms and private corporations shall be authorized to construct, maintain and operate public warehouses and elevators on railway rights-of-way in the State of North Dakota,

Which was read the first time.

Mr. Ebbighausen moved

That House Bill No. 240 be referred to a special committee of three.

Mr. Ueland moved

As a substitute that House Bill No. 240 be referred to Committee on Temperance,

Which substitute motion prevailed, and

House Bill No. 240

Was read the second time and so referred.

SECOND READING OF HOUSE BILLS.

House Bill No. 242,

A bill for an act to amend section 55 of chapter 132 of the Laws of 1890,

Was read the second time and referred to the Committee on Taxation and Tax Laws.

House Bill No. 243,

A bill for an act to amend section 3 of chapter 91 of the Session Laws of 1891, for the purpose of including all lands in its provisions and requiring a judgment to be obtained to make the expense a tax on the land,

Was read the second time and referred to the Committee on Taxation and Tax Laws.

House Bill No. 244,

A bill for an act to amend section 2 of chapter 169 of the Laws of 1890, entitled "An act fixing the times and places of holding general and special terms of the Supreme Court of the State of North Dakota and providing for the expenses incident thereto,"

Was read the second time and referred to the Judiciary Committee.

House Bill No. 245,

A bill for an act entitled "An act requiring counties to pay the expenses of conveying patients to the Hospital for the Insane at Jamestown and prisoners to the Penitentiary at Bismarck,"

Was read the second time and referred to the Committee on

House Bill No. 246,

A bill for an act authorizing the refunding of outstanding city bonds and warrants,

Was read the second time and referred to the Committee on Ways and Means.

House Bill No. 247,

A bill for an act to amend section 29 of chapter 132 of the Laws of 1890, entitled "Revenue and Taxation,"

Was read the second time and referred to the Committee on Taxation and Tax Laws.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

SENATE CHAMBER,
Bismarck, February 24, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith
Senate Bill No. 46,

A bill for the encouragement of higher education and appropriating money therefor.

Also,

Senate Bill No. 99,

A bill for an act regulating the State Law Library and making an appropriation for the incidental expenses thereof,

Which the Senate has passed and your favorable consideration thereof is respectfully requested.

Respectfully,

FRED FALLEY,
Secretary.

SENATE CHAMBER, }
Bismarck, February 24, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith a memorial and concurrent resolution to Congress requesting an amendment to sections 11 and 14 of the "Enabling act," in so far as North Dakota is concerned, fixing the minimum price of school lands at five dollars per acre, which the Senate has passed and your concurrence therein is respectfully requested.

Respectfully,

FRED FALLEY,
Secretary.

THIRD READING OF HOUSE BILLS.

Substitute for House Bill No. 2,

A bill for an act to provide for the right of erection of grain warehouses and elevators on the right-of-way of railroad corporations and contiguous thereto,

Was read the third time and placed upon its final passage.

The question being on the final passage of the bill.

The roll being called there were ayes 55, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Holliday,	Oliver,
Bentley,	Horgan,	Pierce,
Boynton,	Hurley,	Plain,
Bullard,	James,	Rinde,
Burkhardt,	Johnson of Sargent,	Sanford,
Caldwell,	Johnson of G'd Forks,	Satterlund,
Churchill,	Johnston,	Simpson,
Cochrane,	Kelly,	Southard,
Davis,	Larson,	Strom,
Deans,	Logan,	Thexton,
Ebbighausen,	Lohnes,	Thompson,
Elliott,	McArthur,	Towers,
Hagen,	McCanna,	Tufts,
Hall,	McCulloch,	Veeder,
Hallum,	McLean,	Wallen,
Halvorson,	Newman,	Wineman,
Haugen,	O'Keefe,	Wright,
Havrevold,	Oksendahl,	Yegen.
Hodgson,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Lee,	Severson,	Wishek,
Levang,	Ueland,	Mr. Speaker.
Ritter.		

Messrs. Ritter and Severson being excused.

So the bill passed and the title was agreed to.

Mr. Wineman moved

That the vote by which substitute for House Bill No. 2 passed be reconsidered and the motion to reconsider be laid upon the table,

Which motion prevailed.

House Bill No. 41,

A bill for an act to amend section 7 of chapter 25 of the General Laws of 1890, entitled "An act providing for the organization and fixing and defining the powers and duties of the Board of University and School Lands, and making an appropriation therefor,"

Was read the third time and placed on its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 53, nays 1.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Holliday,	Plain,
Bentley,	Horgan,	Rinde,
Bullard,	Hurley,	Sanford,
Burkhardt,	James,	Satterlund,
Caldwell,	Johnson of Sargent,	Simpson,
Churchill,	Johnson of G'd Forks,	Strom,
Cochrane,	Johnston,	Thexton,
Davis,	Kelly,	Thompson.
Deans,	Larson,	Towers,
Ebbighausen,	Logan,	Tufts,
Elliott,	Lohnes,	Ueland.
Hagen,	McArthur,	Veeder,
Hall,	McCanna,	Wallen,
Hallum,	McCulloch,	Wineman,
Halvorson,	McLean,	Wishek,
Haugen,	O'Keefe,	Wright,
Havrevold,	Oksendahl,	Yegen.
Hodgson,	Pierce,	

Mr. Newman voting in the negative.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Oliver,	Southard,
Lee,	Ritter,	Mr. Speaker.
Levang,	Severson,	

Messrs. Ritter and Severson being excused.

So the bill passed and the title was agreed to.

House Bill No. 189,

A bill for an act to amend sections 3, 5, 8, 10, 11 and 12 of chapter 108 of the Laws of 1890, entitled "An act to regulate the practice of pharmacy, the licensing of persons to carry on such practice and the sale of poisons in the State of North Dakota,"

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 49, nays 4.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Horgan,	Rinde,
Bentley,	Hurley,	Sanford,
Boynton,	James,	Satterlund,
Bullard,	Johnson of Sargent,	Simpson,
Burkhardt,	Johnson of G'd Forks,	Strom,
Caldwell,	Johnston,	Thexton,
Churchill,	Larson,	Thompson,
Davis,	Logan,	Towers,
Deans,	McArthur,	Tufts,
Elliott,	McCanna,	Ueland,
Hagen,	McCulloch,	Veeder,
Hall,	Newman,	Wallen,
Hallum,	Oksendahl,	Wineman,
Halvorson,	Oliver,	Wishek,
Haugen,	Pierce,	Wright,
Havrevold,	Plain,	Yegen.
Holliday,		

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Cochrane,	McLean,	O'Keefe.
Ebbighausen,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Hodgson,	Levang,	Severson,
Kelly,	Lohnes,	Southard,
Lee,	Ritter,	Mr. Speaker.

Messrs. Ritter and Severson being excused.

So the bill passed and the title was agreed to.

Mr. Elliott moved.

That the House do now take a recess until 2 o'clock p. m.

Which motion prevailed, and

The House took a recess.

AFTERNOON SESSION.

The House reassembled at 2 o'clock p. m.

Mr. Ueland (by unanimous consent) introduced—

House Bill No. 254,

A bill for an act to require railway companies to keep their

right of way clear of dead grass and other combustible material, so as to prevent the starting of running fires from the operation of their railways,

Which was read the first and second times and referred to the Committee on Railroads.

Mr. Elliott moved

That House Bill No. 17 be made a special order for to-morrow at 2 o'clock p. m.,

Which motion prevailed.

Mr. Elliott moved

That House Bill No. 108 be made a special order for to-morrow immediately following House Bill No. 17,

Which motion prevailed.

Mr. Ueland moved

That the House do now resolve itself into Committee of the Whole to consider special order,

Which motion was withdrawn.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

SENATE CHAMBER,
Bismarck, February 24, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith

Senate Bill No. 86,

A bill to amend section 1407 of article 5 of chapter 13, Laws of 1887, fees of register of deeds,

Which the Senate has passed, and your favorable consideration thereof is respectfully requested.

Respectfully,

FRED FALLEY,
Secretary.

SENATE CHAMBER,
Bismarck, February 24, 1893. }

MR. SPEAKER:

I have the honor to inform you

That the Senate has concurred in the House resolution to appoint a joint committee of four from the House and three from the Senate to whom all matters relating to the compilation, revision and codification of the laws shall be referred, and

Mr. President has appointed Messrs. Haggart, Burke and McCarten as the Senate members thereof.

Respectfully,

FRED FALLEY,
Secretary.

CONSIDERATION OF SPECIAL ORDERS.

The hour having arrived for the consideration of House Bill No. 194, made a special order for 2 o'clock p. m.,

House Bill No. 194,

A bill for an act defining usury and fixing the penalty for taking the same,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 39, nays 10.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Holliday,	Rinde,
Bentley,	Hurley,	Satterlund,
Bullard,	James,	Simpson,
Burkhardt,	Johnson of Sargent,	Southard,
Cochrane,	Johnson of G'd Forks,	Strom,
Davis,	Kelly,	Thexton,
Deans,	Larson,	Tufts,
Elliott,	Lohnes,	Veeder,
Hall,	McArthur,	Wallen,
Halvorson,	McCanna,	Wineman,
Haugen,	Newman,	Wishek,
Havrevold,	O'Keefe,	Wright,
Hodgson,	Pierce,	Yegen.

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Caldwell,	McLean,	Sanford,
Hagen,	Oksendahl,	Towers,
Logan,	Oliver,	Ueland.
McCulloch,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Johnston,	Ritter,
Churchill,	Lee,	Severson,
Ebbighausen,	Levang,	Thompson,
Hallum,	Plain,	Mr. Speaker.
Horgan,		

So the bill passed and the title was agreed to.

Mr. Newman moved

That the votes by which House Bills Nos. 194 and 41 passed be reconsidered and that the motion to reconsider be laid on the table,
Which motion prevailed.

Mr. Newman moved

That Senate Bill No. 48 be taken up for third reading and final passage,

Which motion prevailed.

The Committee on Enrolled Bills made the following report:

MR. SPEAKER:

Your Committee on Enrolled Bills have examined
House Bill No. 58,

A bill for an act repealing chapter 40 of the Political Code of 1887, relating to public education; chapter 14 of the Session Laws of 1879, being an act to establish a public school law for Dakota Territory; chapter 24 of the Laws of 1881, being an act to empower school districts to issue bonds for building school houses; chapter 64 of the Laws of 1881, being an act to amend an act entitled "An act to establish a public school law for Dakota Territory," approved February 22, 1879; chapter 65 of the Laws of 1881, being an act to amend sections 8 and 29 of an act to establish a public school law for Dakota Territory, approved February 25, 1879; chapter 96 of the Laws of 1881, being an act to amend section 17 and section 18 of chapter 14 of the Laws of 1879; chapter 67 of the Laws of 1881, being an act to amend section 40 of an act to establish a public school law for Dakota Territory; chapter 68 of the Laws of 1881, being an act to amend section 40 of an act to establish a public school law for Dakota Territory; chapter 69 of the Laws of 1881, being an act making provisions for the schooling of children living in any organized district; chapter 44 of the Laws of 1883, being an act to establish and provide for the maintenance of a general and uniform system of common schools, and improve their usefulness; chapter 46 of the Laws of 1883, being an act to create the office of Assistant Superintendent of Public Instruction, and to provide for his salary and proper expenses; chapter 49 of the Laws of 1885, being an act to amend chapter 44 of the Session Laws of 1883, entitled "Education;" chapter 50 of the Laws of 1885, being an act to amend chapter 45 of the Laws of 1885, empowering school townships to issue their bonds for building and furnishing school houses; chapter 51 of the Laws of 1885, being an act to amend section 9 of chapter 45 of the Laws of Dakota for 1883; chapter 44 of the Laws of 1887, being an act entitled "An act to require teachers of public schools to keep a record of the visits of county superintendents;" chapter 45 of the Laws of 1887, being an act to provide for the registration and payment of warrants drawn by the secretary and treasurer of boards of education in this territory and to prescribe the rate of interest thereon; chapter 46 of the Laws of 1887, being an act to amend sections 46 and 66 of chapter 44 of the General Laws of 1883; chapter 47 of the Laws of 1887, being an act to amend chapter 44 of the Session Laws of 1883, relating to education.

Also,

House Bill No. 45,

A bill for an act to define the jurisdiction of the district court and the powers of the judges thereof and to regulate the exercise of such powers.

Also,

House Bill No. 72,

A bill for an act to amend subdivision 5 of section 24 of chapter 120 of the Laws of 1891, regulating appeals from the district court to the Supreme Court.

Also,

House Bill No. 115,

A bill for an act to amend section 56 of the Code of Civil Procedure, being section 4852 of the Compiled Laws of 1887, providing for limitation of time in which to commence certain civil actions.

And find the same correctly enrolled.

ARNE P. HAUGEN,
Chairman.

Mr. Speaker announced his signature to

House Bill No. 115,

A bill for an act to amend section 56 of the Code of Civil Procedure, being section 4852 of the Compiled Laws.

Also,

House Bill No. 45,

A bill for an act to define the jurisdiction of the district court and the powers of the judges thereof and to regulate the exercise of such powers.

Also,

House Bill No. 72,

A bill for an act to amend subdivision 5 of section 24 of chapter 120 of the Laws of 1891, regulating appeals from the district court to the Supreme Court.

Also,

House Bill No. 58,

A bill for an act repealing chapter 40 of the Political Code of 1887, relating to public education; chapter 14 of the Session Laws of 1889, being an act to establish a public school law for Dakota Territory; chapter 24 of the Laws of 1881, being an act to empower school districts to issue bonds for building school houses; chapter 64 of the Laws of 1881, being an act to amend an act entitled "An act to establish a public school law for Dakota Territory," approved February 22, 1879; chapter 65 of the Laws of 1881, being an act to amend sections 8 and 29 of an act to establish a public school law for Dakota Territory, approved February 22, 1879; chapter 66 of the Laws of 1881, being an act to amend section 17 and section 18 of chapter 14 of the Laws of 1879; chapter 67 of the Laws of 1881, being an act to amend section 40 of an act to establish a public school law for Dakota Territory; chapter 68 of the Laws of 1881, being an act to amend section 40 of an act to establish a public school law for Dakota Territory;

chapter 69 of the Laws of 1881, being an act making provisions for the schooling of children living in an organized district; chapter 44 of the Laws of 1883, being an act to establish and provide for the maintenance of a general and uniform system of common schools, and improve their usefulness; chapter 46 of the Laws of 1883, being an act to create the office of Assistant Superintendent of Public Instruction, and to provide for his salary and proper expenses; chapter 49 of the Laws of 1885, being an act to amend chapter 44 of the Session Laws of 1883, entitled "Education;" chapter 50 of the Laws of 1885, being an act to amend chapter 45 of the laws of 1885, empowering school townships to issue their bonds for building and furnishing school houses; chapter 51 of the Laws of 1885, being an act to amend section 9 of chapter 45 of the Laws of Dakota for 1883; chapter 44 of the Laws of 1887, being an act entitled "An act to require teachers of public schools to keep a record of the visits of county superintendents;" chapter 45 of the Laws of 1887, being an act to provide for the registration and payments of warrants drawn by the secretary and treasurer of boards of education in this territory and to prescribe the rate of interest thereon; chapter 46 of the Laws of 1887, being an act to amend sections 46 and 66 of chapter 44 of the General Laws of 1883; chapter 48 of the Laws 1887, being an act to amend chapter 44 of the Session Laws of 1883, relating to education.

Senate Bill No. 48,

A bill for an act fixing the minimum time for which offenders may be committed to the penitentiary,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 32, nays 20.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Holliday,	Satterlund,
Bentley,	Hurley,	Simpson,
Burkhardt,	James,	Southard,
Cochrane,	Johnson of G'd Forks,	Strom,
Davis,	Larson,	Tufts,
Deans,	McCanna,	Veeder,
Ebbighausen,	McLean,	Wallen,
Elliott,	Newman,	Wineman,
Hagen,	O'Keefe,	Wishek,
Hall,	Oliver,	Yegen.
Halvorson,	Pierce,	

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Boynton,	Johnston,	Rinde.
Bullard,	Kelly,	Sanford,
Churchill,	Logan,	Thexton,
Hallum,	McArthur,	Towers,

Messrs— Havrevold, Horgan, Johnson of Sargent,	Messrs— McCulloch, Oksendahl, Plain,	Messrs— Ueland, Wright.
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Absent and not voting:

Messrs— Caldwell, Haugen, Hodgson, Lee,	Messrs— Levang, Lohnes, Ritter.	Messrs— Severson, Thompson, Mr. Speaker.
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Messrs. Ritter and Severson being excused.

So the bill passed and the title was agreed to.

A verification of the vote was had.

Mr. Ueland raised the point of order that, after verification, no member can vote.

Mr. Speaker decided the point of order not well taken.

House Bill No. 29,

A bill for an act to establish the Thirty-second Senatorial and Legislative District,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 46, nays 5.

Those voting in the affirmative were:

Messrs— Benedict, Bentley, Boynton, Bullard, Burkhardt, Caldwell, Churchill, Cochrane, Deans, Ebbighausen, Elliott, Hagen, Hall, Halvorson, Havrevold, Hodgson,	Messrs— Horgan, Hurley, James, Johnson of Sargent, Johnson of G'd Forks, Johnston, Kelly, Larson, Logan, McArthur, McCanna, Newman, O'Keefe, Oksendahl, Oliver,	Messrs— Pierce, Rinde, Satterlund, Simpson, Southard, Strom, Towers, Tufts, Ueland, Veeder, Wallen, Wineman, Wishek, Wright, Yegen.
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Those who voted in the negative were:

Messrs— Holliday, McLean,	Messrs— Plain, Sanford,	Messrs— Thexton.
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Absent and not voting:

Messrs— Davis, Hallum, Haugen, Lee,	Messrs— Levang, Lohnes, McCulloch, Ritter,	Messrs— Severson, Thompson, Mr. Speaker.
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Messrs. Ritter and Severson being excused.

So the bill passed and the title was agreed to.

Mr. Oliver moved

That the vote by which House Bill No. 29 passed be reconsidered and the motion to reconsider be laid upon the table,

Which motion prevailed.

Mr. Hall moved

That House Bill No. 143 be taken from general orders and read the third time and placed upon its final passage,

Which motion prevailed.

House Bill No. 78,

A bill for an act to enable county commissioners to present the listing, assessment, advertisement and selling at tax sales of lots according to their subdivisional description in certain cases.

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 56, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Horgan,	Plain,
Bentley,	Hurley,	Rinde,
Boynton,	James,	Sanford.
Bullard,	Johnson of Sargent,	Satterlund,
Burkhardt,	Johnson of G'd Forks,	Simpson,
Caldwell,	Johnston,	Southard,
Churchill,	Kelly,	Strom,
Cochrane,	Larson,	Thexton,
Davis,	Logan,	Thompson,
Deans,	Lohnes,	Towers,
Ebbighausen,	McArthur,	Tufts,
Elliott,	McCanna,	Ueland,
Hagen,	McCulloch,	Veeder,
Hall,	McLean,	Wallen,
Hallum,	Newman,	Wineman,
Halvorson,	O'Keefe,	Wishek,
Havrevold,	Oksendahl,	Wright,
Hodgson,	Oliver,	Yegen.
Holliday,	Pierce,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Haugen,	Levang,	Severson,
Lee,	Ritter,	Mr. Speaker.

So the bill passed and the title was agreed to.

Mr. Speaker, Messrs. Ritter and Severson being excused.

Mr. Boynton moved

That House Bill No. 129 be taken from general orders and placed upon its final passage,

Which motion prevailed.

House Bill No. 143,

A bill for an act for extension of the time for the payment of the taxes for the year 1892,

Was read the third time and placed upon its final passage.

Mr. Hall moved

That the amendments offered by the Committee on Taxation and Tax Laws on House Bill No. 143 be adopted,

Which motion prevailed.

Mr. Oliver asked unanimous consent to strike out section 3 of House Bill No. 143,

Which consent was granted.

The question being upon the final passage of the bill as amended.

The roll being called there were ayes 53, nays none.

Those who voted in the affirmative were:

Messrs—

Benedict,
Bentley,
Boynton,
Bullard,
Burkhardt,
Caldwell,
Churchill,
Cochrane,
Davis,
Deans,
Ebbighausen,
Elliott,
Hagen,
Hall,
Hallum,
Halvorson,
Hodgson,
Holliday,

Messrs—

Horgan,
Hurley,
James,
Johnson of Sargent,
Johnson of G'd Forks,
Johnston,
Kelly,
Larson,
Logan,
Lohnes,
McCanna,
McCulloch,
McLean,
Newman,
O'Keefe,
Oksendahl,
Oliver,
Pierce,

Messrs—

Plain,
Rinde,
Sanford,
Satterlund,
Simpson,
Southard,
Thexton,
Thompson.
Towers,
Tufts,
Ueland,
Veeder,
Wallen,
Wineman,
Wishek,
Wright,
Yegen.

Absent and not voting:

Messrs—

Haugen,
Havrevold,
Lee,

Messrs—

Levang,
McArthur,
Ritter,

Messrs—

Severson,
Strom,
Mr. Speaker.

Messrs. Ritter and Severson being excused.

So the bill as amended passed and the title was agreed to.

Mr. Davis moved

That the vote by which House Bill No. 143 passed be reconsidered and that the motion to reconsider be laid on the table,

Which motion prevailed.

The Committee on Engrossed Bills made the following report:

MR. SPEAKER:

Your Committee on Engrossed Bills have examined House Bill No. 55,

A bill for an act providing for a State Examiner, defining his duties and fixing his compensation and bond, -

And find the same correctly engrossed.

J. DEXTER PIERCE,
Chairman.

Mr. Elliott asked unanimous consent to take up House Bill No. 106,

Which consent was not granted.

Mr. Boynton moved

That Senate Bill No. 119 be read the first and second times and referred to its appropriate committee,

Which motion prevailed.

Senate Bill No. 119,

A bill for an act appropriating money to insure a proper exhibit of North Dakota's resources at the Columbian Exposition, to be held at Chicago in 1893,

Was read the first and second times and referred to the Committee on Appropriations.

Mr. Simpson asked unanimous consent to correct the Journal of the forty-sixth day, on page 12, by striking out "township" and insert "county,"

Which consent was granted.

Mr. McCanna moved

That House Bill No. 130 be placed upon its third reading and final passage,

Which motion prevailed.

House Bill No. 130,

A bill for an act to refund \$744.53 to Towner county for overpaid taxes to the State,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 51, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Holliday,	Plain,
Bentley,	Horgan,	Rinde,
Bullard,	Johnson of Sargent,	Sanford,
Burkhardt,	Johnson of G'd Forks,	Satterlund,
Caldwell,	Johnston,	Simpson,
Churchill,	Kelly,	Southard,
Cochrane,	Larson,	Strom,
Davis,	Logan,	Thexton,
Deans,	Lohnes,	Thompson,
Ebbighausen,	McArthur,	Towers,
Elliott,	McCanna,	Tufts,
Hagen,	McCulloch,	Ueland,
Hallum,	McLean,	Veeder,
Halvorson,	Newman,	Wineman,

Messrs—	Messrs—	Messrs—
Haugen,	O'Keefe,	Wishek,
Havrevold,	Oksendahl,	Wright,
Hodgson,	Pierce,	Yegen.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Lee,	Severson,
Hall,	Levang,	Wallen,
Hurley,	Oliver,	Mr. Speaker.
James,	Ritter,	

Messrs. Ritter and Severson being excused.

So the bill passed and the title was agreed to.

Mr. McCanna moved to reconsider the vote by which House Bill No. 130 passed and that the motion to reconsider be laid on the table,

Which motion prevailed.

Mr. Ueland moved

That House Bills Nos. 142 and 148 be made a special order for to-morrow at 11 o'clock a. m., and House Bill No. 170 to immediately follow,

Which motion prevailed.

Mr. Ebbighausen moved

That House Bills Nos. 91 and 193 be placed upon their third reading and final passage.

Mr. Southard moved

That no further bills be taken up out of their regular order to-day.

Mr. Oliver moved, as an amendment.

That after to-day motions and resolutions shall be always in order.

Mr. Newman moved

To lay the amendment on the table,

Which motion prevailed.

House Bill No. 55,

A bill for an act providing for a State Examiner, defining his duties and fixing his compensation and bond,

Was read the third time and placed upon its final passage.

The question being on the final passage of the bill.

The roll being called there were ayes 55, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Horgan,	Pierce,
Bentley,	Hurley,	Plain,
Boynton,	James,	Rinde,
Bullard,	Johnson of Sargent,	Sanford,
Burkhardt,	Johnson of G'd Forks,	Satterlund,

Messrs—

Caldwell,
Churchill,
Cochrane,
Davis,
Deans,
Ebbighausen,
Hagen,
Hall,
Hallum,
Halvorson,
Haugen,
Havrevold,
Hodgson,
Holliday,

Messrs—

Johnston,
Kelly,
Larson,
Logan,
Lohnes,
McArthur,
McCanna,
McCulloch,
McLean,
Newman,
O'Keefe,
Oksendahl,
Oliver,

Messrs—

Simpson,
Southard,
Strom,
Thexton,
Thompson,
Tufts,
Ueland,
Veeder,
Wallen,
Wineman,
Wishek,
Wright,
Yegen.

Absent and not voting:

Messrs—

Elliott,
Lee,
Levang,

Messrs—

Ritter,
Severson,

Messrs—

Towers,
Mr. Speaker.

Messrs. Ritter and Severson being excused.

So the bill passed and the title was agreed to.

Mr. Haugen moved

That the vote by which House Bill No. 175 was lost be reconsidered,

Which motion prevailed.

Mr. Haugen moved

That House Bill No. 175 be read the third time and placed upon its final passage.

House Bill No. 175,

A bill for an act to amend sections 1 and 2 of chapter 1 of the Laws of 1889, entitled "An act to provide security to the public against errors, omissions and defects in abstracts of real estate,"

Was read the third time and placed upon its final passage.

Mr. Southard moved

That House Bill No. 175 be made a special order for tomorrow at 2:30 o'clock p. m.

Mr. Oliver raised the point of order that the bill had been read the third time and could not be made a special order.

Mr. Speaker decided the point of order well taken.

Mr. Wineman moved

That the rules be suspended and that House Bill No. 175 be made a special order for 3 o'clock tomorrow afternoon.

Mr. Hallum moved

That the House do now adjourn,
Which motion was lost.

Mr. Elliott moved

That House Bill No. 175 be recommitted to its appropriate committee,

Which motion prevailed.

Mr. Cochrane moved

That the vote by which House Bill No. 55 passed be reconsidered and that the motion to reconsider be laid upon the table,

Which motion prevailed.

House Bill No. 91,

A bill for an act to provide for the provisional remedy for garnishment in civil actions,

Was read the third time and placed upon its final passage.

The question being on the final passage of the bill.

The roll being called there were ayes 30, nays 14.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hodgson,	Oliver,
Bentley,	Horgan,	Pierce,
Bullard,	Hurley,	Plain,
Churchill,	James,	Rinde,
Cochrane,	Johnson of G'd Forks	Southard,
Davis,	Larson,	Tufts,
Ebbighausen,	McCulloch,	Wallen,
Hall,	McLean,	Wineman,
Hallum,	Newman,	Wishek,
Halvorson,	O'Keefe,	Yegen.

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Elliott,	Lohnes,	Thompson,
Hagen,	Oskendahl,	Thexton,
Johnson of Sargent,	Sanford,	Towers,
Kelly,	Satterlund,	Ueland.
Logan,	Strom,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Holliday,	Ritter,
Burkhardt,	Johnston,	Severson,
Caldwell,	Lee,	Simpson,
Deans,	Levang,	Veeder,
Haugen,	McArthur,	Wright,
Havrevold,	McCanna,	Mr. Speaker.

Messrs Ritter and Severson being excused.

So the bill as amended passed and the title was agreed to.

Mr. Ebbighausen gave notice that he would move a reconsideration of the vote by which House Bill No. 91 was lost.

House Bill No. 163,

A bill for an act prescribing the duties of county commissioners in relation to landmarks and fixing a penalty for removing or defacing the same,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 44, nays 4.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	James,	Sanford,
Bentley,	Johnson of Sargent,	Satterlund,
Bullard,	Johnson of G'd Forks,	Simpson,
Burkhardt,	Larson,	Southard,
Caldwell,	Logan,	Strom,
Churchill,	McCanna,	Thexton,
Cochrane,	McCulloch,	Thompson,
Davis,	McLean,	Tufts,
Ebbighausen,	Newman,	Ueland,
Halvorson,	O'Keefe,	Veeder,
Haugen,	Oksendahl,	Wallen.
Hodgson,	Oliver,	Wineman,
Holliday,	Pierce,	Wishek,
Horgan,	Plain,	Yegen.
Hurley,	Rinde,	

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Deans,	Hagen,	Towers.
Elliott,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Kelly,	Ritter,
Hall,	Lee,	Severson,
Hallum,	Levang,	Wright,
Havrevold,	Lohnes,	Mr. Speaker.
Johnston,	McArthur,	

Messrs. Ritter and Severson being excused.

So the bill passed and the title was agreed to.

Mr. Benedict by unanimous consent introduced—
House Bill No. 255,

A bill for an act to amend section 3 of an act entitled "An act to locate, establish and maintain the North Dakota Academy of Science and to provide for the government thereof," approved March 14, 1890,

Which was read the first time.

Mr. Wineman moved

That the vote by which House Bill No. 163 passed be reconsidered and that the motion to reconsider be laid upon the table,

Which motion prevailed.

Mr. Davis moved

That the concurrent resolution relating to Turtle Mountain Reservation be recommitted to the Committee on Forestry for amendment,

Which motion prevailed.

Mr. Oliver moved
That the House do now adjourn,
Which motion was lost.

The Committee on Enrolled Bills made the following report:

MR. SPEAKER:

Your Committee on Enrolled Bills respectfully report that
House Bill No. 45,

A bill for an act to define the jurisdiction of the district court
and the powers of the judges thereof and to regulate the exercise
of such powers,

Also,

House Bill No. 58,

A bill for an act repealing chapter 40 of the Political Code of 1877, relating to public education; chapter 14 of the Session Laws of 1879, being an act to establish a public school law for Dakota Territory; chapter 24 of the Laws of 1881, being an act to empower school districts to issue bonds for building school houses; chapter 64 of the Laws of 1881, being an act to amend an act entitled "An act to establish a public school law for Dakota Territory," approved February 22, 1879; chapter 65 of the Laws of 1881, being an act to amend sections 8 and 29 of an act to establish a public school law for Dakota Territory, approved February 22, 1879; chapter 66 of the Laws of 1881, being an act to amend section 17 and section 18 of chapter 14 of the Laws of 1879; chapter 67 of the Laws of 1881, being an act to amend section 40 of an act to establish a public school law for Dakota Territory; chapter 68 of the Laws of 1881, being an act to amend section 40 of an act to establish a public school law for Dakota Territory; chapter 69 of the Laws of 1881, being an act making provisions for the schooling of children living in any organized district; chapter 44 of the Laws of 1883, being an act to establish and provide for the maintenance of a general and uniform system of common schools, and improve their usefulness; chapter 46 of the Laws of 1883, being an act to create the office of Assistant Superintendent of Public Instruction, and to provide for his salary and proper expenses; chapter 49 of the Laws of 1885, being an act to amend chapter 44 of the Session Laws of 1883, entitled "Education;" chapter 50 of the Laws of 1885, being an act to amend chapter 45 of the Laws of 1885, empowering school townships to issue their bonds for building and furnishing school houses; chapter 51 of the Laws of 1885, being an act to amend section 9 of chapter 45 of the Laws of Dakota for 1883; chapter 44 of the Laws of 1887, being an act entitled "An act to require teachers of public schools to keep a record of the visits of county superintendents;" chapter 45 of the Laws of 1887, being an act to provide for the registration and payment of warrants drawn by the secretary and treasurer of boards of education in this territory and to

prescribe the rate of interest thereon; chapter 46 of the Laws of 1887, being an act to amend sections 46 and 66 of chapter 44 of the General Laws of 1883; chapter 48 of the Laws 1887, being an act to amend chapter 44 of the Session Laws of 1883, relating to education.

Also,

House Bill No. 72,

A bill for an act to amend subdivision 5 of section 24 of chapter 120 of the Laws of 1891, regulating appeals from the district court to the Supreme Court.

Also,

House Bill No. 115,

A bill for an act to amend section 56 of the code of Civil Procedure, being section 4852 of the Compiled Laws,

Were, at the hour of two o'clock and forty minutes of this day, delivered to the Governor for his approval.

ARNE P. HAUGEN,
Chairman.

Mr. Oliver moved
That the House do now adjourn,
Which motion prevailed, and
The House adjourned.

J. G. HAMILTON,
Chief Clerk.

FIFTY-FOURTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 25, 1893.

The House assembled at 10 a. m., pursuant to adjournment.
The House was called to order by J. G. Hamilton, Chief Clerk.
Prayer by the Chaplain.

Mr. Ueland moved
That the calling of the roll be dispensed with,
Which motion prevailed.

Mr. Davis moved
That Mr. Oliver be elected Speaker pro tem.,
Which motion prevailed.

The committee to revise and correct the Journal made the following report:

MR. SPEAKER:

Your committee to revise and correct the Journal have examined the Journal of the fifty-third day and find the same to be correct.

D. C. TUFTS,
Chairman.

There being no objection, the report was adopted and the Journal of the fifty-third day approved.

COMMITTEE OF THE WHOLE.

Mr. Logan moved
That the House do now resolve itself into a Committee of the Whole to consider general orders,
Which motion prevailed.

Mr. Speaker called Mr. Hodgson to the chair.

When the committee arose the following report was presented:

MR. SPEAKER:

Your Committee of the Whole have had under consideration House Bill No. 102,

A bill for an act to provide free and uniform text books throughout the several counties of the State,

Together with the following amendment proposed by the Committee on Education, and recommend the adoption of the amendment offered by the committee.

Amendment to House Bill No. 102:

Strike out all of section 2 after the word "provided," in line 4 of the printed bill, and insert the following:

"Before any publisher or publishers shall enter, or attempt to enter, into any contract for the sale of text books as provided herein, they shall file with the Superintendent of Public Instruction of the State of North Dakota a list of the books and the exchange introduction contract and mailing price at which they will sell any or all of such books to any board of directors in the State of North Dakota, together with a bond in the sum of from \$2,000 to \$20,000 for the faithful performance of the conditions of such contracts within the State, said bond to be approved by the State Superintendent."

Also that section 6 be amended as follows:

After the word "commissioners" in line 2 of the printed bill, insert the following: "And two resident teachers of known reputation, said teachers to be selected by the county superintendent, county auditor and chairman of the board of county commissioners for the term of one year."

Also, strike out the word "all" in the first line of section 7 of the printed bill.

Also, strike out all of section 8.

Also, the following amendment offered as section 10 of the bill:

The question of the adoption of the provisions of this act by the several counties and independent districts of the State shall be submitted to a vote of the school electors of each county outside of independent districts and to the school electors of such independent districts separately at the annual school election held in said counties and such independent districts respectively. The ballot at such election in favor of the adoption of the provisions hereof shall have written or printed upon them "For free text books," those against such adoption shall have written or printed thereon "Against free text books." If a majority of all the votes cast at such election, in any independent district or in any county outside of independent districts, shall be "For free text books," the provisions of this act shall thereupon take effect and be in force from and after July 1, 1893, in such independent districts and counties. If a majority of such votes in any county or independent district shall be "Against free text books" the provisions of this bill shall be of no force or effect in such counties or districts.

And recommend the adoption of the amendment.

Also, the following emergency clause:

WHEREAS, An emergency exists in that the annual school election herein referred to will occur prior to July 1st; therefore, this act shall take effect and be in force from and after its passage and approval.

And recommend the adoption of the emergency clause and the passage of the bill as so amended.

Also,

House Bill No. 174,

A bill for an act fixing the maximum rates that railroad companies may charge for the transportation of coal mined within the State of North Dakota,

Together with the following amendments offered by the Committee on Railroads:

Amendments to House Bill No. 174:

In line 7 of printed bill strike out the figures "\$1.25" and insert in lieu thereof "\$1.00."

In line 9 of printed bill strike out the figures "\$1.50" and insert in lieu thereof "\$1.35."

In line 10 of printed bill strike out the figures '\$1.75' and insert in lieu thereof "\$1.50."

In line 12 of printed bill strike out the figures "\$1.95" and insert in lieu thereof "\$1.85."

In line 15 of printed bill strike out the figures "\$2.35" and insert in lieu thereof "\$2.25."

In line 16 of printed bill strike out the figures "\$2.50" and insert in lieu thereof "\$2.35."

Section 3 to read: "It shall be the duty of the Attorney General and state's attorney to have enforced the provision of this act in the name of the State of North Dakota."

And recommend the adoption of the amendments offered by the Committee on Railroads, and the passage of the bill as so amended.

Also,

House Bill No. 64,

A bill for an act to amend chapter 128 of the Laws of 1889,

Together with the following amendments offered by the Committee on Taxation and Tax Laws:

1. By adding in line 10 of original bill after the word "township" the words "or school district."

2. By adding and inserting in line 11 of same after the word "township" the words "and clerk of such school district."

3. By striking out the word "township" and inserting in lieu thereof the word "such" in line 12 of original bill.

4. By striking out the word "township" in line 13 of same and inserting the word "proper" in lieu thereof.

5. By adding and inserting in line 15 of same, after the word "bonds," the words "except those of justices of the peace."

6. By striking out the word "township" in lines 19 and 20 of original bill.

7. By adding after the word "auditor" in line 22 of original bill the following clause, namely: "The county auditor shall not issue any order upon the county treasurer for funds or moneys belonging to a civil township or school district to any person as treasurer of such township or school district until his bond has been filed as in this act provided."

And recommend the adoption of the amendments offered by the committee and the passage of the bill when so amended.

Also,

House Bill No. 68,

A bill for an act to amend section 74 of chapter 132 of the Laws of 1890,

Together with the following amendments offered by the Committee on Taxation and Tax Laws:

By inserting and adding after the word "same" in ninth line of section 1, original bill, the words following: "Only one lot or parcel of land shall be included in one certificate unless assessed and taxed to the same person or corporation."

And recommend the adoption of the amendments and the passage of the bill as so amended.

Also,

House Bill No. 34,

A bill for an act to encourage the development of the coal mines of the State, and to determine the kind of coal that shall be used in the various State institutions, county buildings and public schools of the State,

Together with the amendments offered by the Committee on Coal Lands and Mining,

And recommend that the bill be recommitted to the Committee on Coal Lands and Mining.

Also,

House Bill No. 111,

A bill for an act providing that non-residents shall give bonds and procure certificates of authority before transacting any grain commission or brokerage business in the State of North Dakota,

And recommend that the further consideration of the bill be indefinitely postponed.

JOHN E. HODGSON,
Chairman.

Mr. Ueland moved

That the report of the Committee of the Whole be adopted,
Which motion prevailed.

Mr. Hurley moved

That Senate Bill No. 42 be made a special order for 2 o'clock p. m.

Mr. Ueland moved

As a substitute that after the consideration of special orders the House take up House bills and place them upon their third reading and final passage.

Mr. Newman moved

As a substitute that the rules be suspended and that all special orders be vacated and that the House do now proceed to the third reading of House bills,

Which motion prevailed.

CONSIDERATION OF SPECIAL ORDERS.

The hour having arrived for the consideration of House Bill No. 142, made a special order for 11 o'clock a. m.,

House Bill No. 142,

A concurrent resolution for an amendment to the Constitution providing for a referendum,

Was read the third time.

Mr. Ueland moved

To strike out all of the part relating to the bill and consider only the resolution,

Which motion prevailed.

Mr. Tufts moved

That the further consideration of the resolution be indefinitely postponed,

Which motion was lost.

The question being upon the passage of House Bill No. 142

The roll being called there were ayes 21, nays 25.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Burkhardt,	Johnson of G'd Forks,	Rinde,
Caldwell,	Kelly,	Sanford,
Elliott,	Levang,	Strom,
Hagen,	Logan,	Thompson,
Hallum,	McCanna,	Towers,
Hodgson,	McCulloch,	Ueland,
Johnson of Sargent,	Oksendahl,	Veeder,

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Benedict,	Holliday,	Satterlund,
Bentley,	Hurley,	Simpson,
Bullard,	Johnston,	Southard,
Churchill,	Larson,	Tufts,
Cochrane,	Newman,	Wineman,
Davis,	O'Keefe,	Wishek,
Deans,	Oliver,	Wright,
Halvorson,	Pierce,	Yegen.
Haugen,	Plain,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	James,	Ritter,
Ebbighausen,	Lee,	Severson,
Hall,	Lohnes,	Thexton,
Havrevold,	McArthur,	Wallen,
Horgan,	McLean,	Mr. Speaker.

Messrs. Ritter and Severson being excused.

So the bill was lost.

Mr. Speaker appointed Mr. W. H. White to act as sergeant-at-arms during the sickness of Mr. Rose, the sergeant-at-arms.

Mr. Ueland moved

To strike out all of that part of House Bill No. 148 relating to the bill and consider only the resolution,

Which motion prevailed.

House Bill No. 148,

Concurrent resolution for an amendment to the constitution in regard to the initiative,

Was read the third time and placed upon its final passage.

The question being on the final passage of the bill.

The roll being called there were ayes 17, nays 26.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Caldwell,	Logan,	Ueland,
Hagen,	McCanna,	Veeder,
Hallum,	McCulloch,	Wishek,
Halvorson,	Rinde,	Wright,
Johnson of Sargent,	Strom,	Yegen.
Levang,	Thompson,	

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Benedict,	Holliday,	Oliver,
Bentley,	Hurley,	Pierce,
Bullard,	Johnston,	Plain,
Burkhardt,	Johnson of G'd Forks,	Satterlund,
Churchill,	Kelly,	Simpson,
Cochrane,	Larson,	Thexton,
Davis,	Newman,	Tufts,
Deans,	O'Keefe,	Wineman.
Haugen,	Oksendahl,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	James,	Sanford,
Ebbighausen,	Lee,	Severson,
Elliott,	Lohnes,	Southard,
Hall,	McArthur,	Towers,
Havrevold,	McLean,	Wallen,
Hodgson,	Ritter,	Mr. Speaker.
Horgan,		

Messrs. Ritter and Severson being excused.

So the bill was lost.

Mr. Deans moved

That the House do now take a recess till 1 o'clock p. m.,
Which motion prevailed.

House reassembled.

REPORTS OF STANDING COMMITTEES.

The Committee on Engrossed Bills made the following report:

MR. SPEAKER:

Your Committee on Engrossed Bills have examined

Substitute for House Bills Nos. 49 and 202,

A bill for an act to regulate commercial agencies, credit companies and guarantee associations,

And find the same correctly engrossed.

J. DEXTER PIERCE,
Chairman.

Mr. Hurley moved
That Mr. Oliver be elected speaker for the day,
Which motion prevailed.

The roll being called there were 42 votes cast, of which Mr. Oliver received 42 votes.

Those who voted for Mr. Oliver were:

Messrs—	Messrs—	Messrs—
Bullard,	Hodgson,	Sanford,
Burkhardt,	Hurley,	Satterlund,
Caldwell,	Johnson of Sargent,	Simpson,
Churchill,	Johnson of G'd Forks,	Southard,
Cochrane,	Larson,	Strom,
Davis,	Levang,	Thompson,
Deans,	Logan,	Towers,
Ebbighausen,	McCanna,	Tufts,
Elliott,	McCulloch,	Ueland,
Hagen,	Newman,	Veeder,
Hallum,	O'Keefe,	Wineman,
Halvorson,	Pierce,	Wishek,
Haugen,	Plain,	Wright,
Havrevold,	Rinde,	Yegen.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Benedict,	Johnston,	Oliver,
Bentley,	Kelly,	Ritter,
Boynton,	Lee,	Severson,
Hall,	Lohnes,	Thexton,
Holliday,	McArthur,	Wallen,
Horgan,	McLean,	Mr. Speaker.
James,	Oksendahl,	

Messrs. Thexton and Ritter being excused.

So Mr. Oliver was elected speaker for the day, and
Mr. Oliver took the chair.

Substitute for House Bills Nos. 49 and 202,

A bill for an act to regulate commercial agencies, credit companies and guarantee associations,

Was read the third time and placed upon its final passage.

The question being on the final passage of the bill.

Mr. Wineman asked unanimous consent to amend the bill by striking out the words and figures "fifteen thousand (\$15,000)" and inserting in lieu thereof the words and figures "twenty-five thousand (\$25,000)".

Mr. Newman moved

That the rules be suspended and the bill be placed upon its final passage,

Which motion prevailed.

The roll being called there were ayes 44, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hurley,	Sanford.
Bullard,	Johnson of Sargent,	Satterlund,
Burkhardt,	Johnson of G'd Forks,	Simpson,
Caldwell,	Johnston,	Southard,
Churchill,	Kelly,	Strom,
Davis,	Larson,	Thompson,
Deans,	Levang,	Towers,
Ebbighausen,	Logan,	Tufts,
Elliott,	McCanna,	Ueland,
Hagen,	McCulloch,	Veeder,
Hallum,	Newman,	Wineman,
Halvorson,	O'Keefe,	Wishek,
Haugen,	Oliver,	Wright,
Havrevold,	Pierce,	Yegen.
Hodgson,	Rinde,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	James,	Plain,
Boynton,	Lee,	Ritter,
Cochrane,	Lohnes,	Severson,
Hall,	McArthur,	Thexton,
Holliday,	McLean,	Wallen,
Horgan,	Oksendahl,	Mr. Speaker.

Messrs. Ritter and Severson being excused.

So the bill as amended passed and the title was agreed to.

Substitute for House Bill No. 182.

A bill for an act appropriating \$60 to reimburse J. B. Sinclair, messenger of the House, for expenses incurred in transmitting House matters to and from the Capitol and printing office,

Was read the third time and placed upon its final passage.

Mr. Davis asked unanimous consent to amend the title to read as follows: "A bill for an act to appropriate money out of the State Treasury to J. B. Sinclair, messenger of the House, and Frank Gaulke, messenger of the Senate,"

Which consent was granted and the bill so amended.

The question being upon the passage of the bill.

The roll being called there were ayes 38, nays 3.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Johnson of Sargent,	Satterlund,
Bullard,	Johnson of G'd Forks,	Simpson,
Burkhardt,	Johnston,	Southard,
Caldwell,	Larson,	Strom,
Cochrane,	Levang,	Thexton,
Davis,	Logan,	Tufts,
Deans,	McCanna,	Ueland,
Ebbighausen,	Newman,	Veeder,
Hagen,	O'Keefe,	Wineman,
Halvorson,	Oksendahl,	Wishek,
Haugen,	Oliver,	Wright,
Havrevold,	Pierce,	Yegen.
Hurley,	Plain,	

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Hodgson,	Sanford,	Towers.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Horgan,	McLean,
Boynton,	James,	Rinde,
Churchill,	Kelly,	Ritter.
Elliott,	Lee,	Severson,
Hall,	Lohnes,	Thompson,
Hallum,	McArthur,	Wallen,
Holliday,	McCulloch,	Mr. Speaker.

Messrs. Ritter and Severson being excused.

So the bill as amended passed and the title was agreed to.

The Committee on Engrossed Bills made the following report:

MR. SPEAKER:

Your Committee on Engrossed Bills have examined
House Bill No. 7,

A bill for an act to require the county treasurers to deposit the county funds in designated depositories.

Also,
House Bill No. 150,

A bill for an act to amend section 8 of chapter 91 of the Printed Laws of 1890, in relation to issuance of marriage licenses.

Also,
House Bill No. 181,

A bill for an act to amend sections 48, 60, 61, 63 and 70 of chapter 62 of the Laws of 1890, relative to school district officers.

Also,
House Bill No. 191,

A bill for an act to amend section 60 of chapter 86 of the Laws of 1891, entitled "An act to provide a military code for the State of North Dakota."

Also,
House Bill No. 201,

A bill for an act providing for a State bounty for the destruction of wolves.

And find the same correctly engrossed.

O. S. WALLEN,
Acting Chairman.

House Bill No. 57,

A bill for an act defining the powers and prescribing the duties of the Secretary of State,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 49, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hurley,	Rinde,
Bullard,	Johnson of Sargent,	Sanford,
Burkhardt,	Johnson of G'd Forks,	Satterlund,
Caldwell,	Johnston,	Simpson,
Churchill,	Kelly,	Southard,
Cochrane,	Larson,	Strom,
Davis,	Levang,	Thexton,
Deans,	Logan,	Thompson
Ebbighausen,	McCanna.	Towers,
Elliott,	McCulloch,	Tufts,
Hagen,	Newman,	Ueland,
Hallum,	O'Keefe,	Veeder,
Halvorson,	Oksendahl,	Wineman,
Haugen,	Oliver,	Wishek,
Havrevold,	Pierce,	Wright,
Hodgson,	Plain,	Yegen.
Holliday,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Lee,	Ritter.
Boynton,	Lohnes,	Severson,
Hall,	McArthur,	Wallen,
Horgan,	McLean,	Mr. Speaker.
James,		

Messrs. Ritter and Severson being excused.

So the bill passed and the title was agreed to.

COMMUNICATION FROM THE GOVERNOR.

The following communication was received from the Governor:

EXECUTIVE CHAMBER, }
February 25, 1893. }

To the Honorable House of Representatives:

GENTLEMEN: I have the honor to inform you that I have this day approved

House Bill No. 72,

Entitled "An act to amend subdivision 5 of section 24 of chapter 120 of the Laws of 1891, regulating appeals from the district court to the Supreme Court."

Also,

House Bill No. 45,

Entitled "An act to define the jurisdiction of the district court and the powers of the judges thereof and to regulate the exercise of such powers.

Also,

House Bill No. 115,

Entitled "An act to amend section 56 of the Code of Civil Procedure, being section 4852 of the Compiled Laws.

Also,

House Bill No. 58,

Entitled "An act repealing chapter 40 of the Political Code of 1877, relating to public education; chapter 14 of the Session Laws of 1879, being an act to establish a public school law for Dakota Territory; chapter 24 of the Laws of 1881, being an act to empower school districts to issue bonds for building school houses; chapter 64 of the Laws of 1881, being an act to amend an act entitled "An act to establish a public school law for Dakota Territory," approved February 22, 1879; chapter 65 of the Laws of 1881, being an act to amend sections 8 and 29 of an act to establish a public school law for Dakota Territory, approved February 22, 1879; chapter 66 of the Laws of 1881, being an act to amend section 17 and section 18 of chapter 14 of the Laws of 1879; chapter 67 of the Laws of 1881, being an act to amend section 40 of an act to establish a public school law for Dakota Territory; chapter 68 of the Laws of 1881, being an act to amend section 40 of an act to establish a public school law for Dakota Territory; chapter 69 of the Laws of 1881, being an act making provisions for the schooling of children living in any organized district; chapter 44 of the Laws of 1883, being an act to establish and provide for the maintenance of a general and uniform system of common schools, and improve their usefulness; chapter 46 of the Laws of 1883, being an act to create the office of Assistant Superintendent of Public Instruction, and to provide for his salary and proper expenses; chapter 49 of the Laws of 1885, being an act to amend chapter 44 of the Session Laws of 1883, entitled "Education;" chapter 50 of the Laws of 1885, being an act to amend chapter 45 of the Laws of 1885, empowering school townships to issue their bonds for building and furnishing school houses; chapter 51 of the Laws of 1885, being an act to amend section 9 of chapter 45 of the Laws of Dakota for 1883; chapter 44 of the Laws of 1887, being an act entitled "An act to require teachers of public schools to keep a record of the visits of county superintendents;" chapter 45 of the Laws of 1887, being an act to provide for the registration and payment of warrants drawn by the secretary and treasurer of boards of education in this territory and to prescribe the rate of interest thereon; chapter 46 of the Laws of 1887, being an act to amend sections 46 and 66 of chapter 44 of the General Laws of 1883; chapter 47 of the Laws of 1887, being an act to amend chapter 44 of the Session Laws of 1883, relating to education.

Very respectfully,

E. C. D. SHORTRIDGE,
Governor.

House Bill No. 98,

A bill for an act providing for the removal of obstructions to natural waterways,

Was read the third time.

Mr. Newman asked unanimous consent to amend House Bill No. 98 by striking out of line 5 in section 3 the words "Judge or Supreme Court Judge,"

Which consent was granted and the bill so amended.

Mr. Severson presented the following petition:

To the Honorable Members of the Legislature of North Dakota:

We, the undersigned, citizens of Cass county, North Dakota, owning and occupying lands subject to heavy overflow by water from the Sheyenne river in the spring of the year by reason of the accumulations and obstructions in the channel of said river, entailing upon us great loss and damage in the use and cultivation of our said lands, hereby respectfully petition and urge your honorable body to pass House Bill No. 98.

ANDREW E. LYKKEN,
And Eighty Others.

The question being upon the passage of the bill.

The roll being called there were ayes 48, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hodgson,	Rinde,
Bullard,	Holliday,	Sanford,
Burkhardt,	Hurley,	Satterlund,
Caldwell,	Johnson of Sargent,	Simpson,
Churchill,	Johnson of G'd Forks,	Southard,
Cochrane,	Larson,	Strom,
Davis,	Levang	Thexton,
Deans,	Logan,	Thompson,
Ebbighausen,	McCanna,	Towers,
Elliott,	McCulloch,	Tufts,
Hagen,	Newman,	Ueland,
Hall,	O'Keefe,	Veeder,
Hallum,	Oksendahl,	Wineman,
Halvorson,	Oliver,	Wishek,
Haugen,	Pierce,	Wright,
Havrevold,	Plain,	Yegen.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Kelly,	Ritter,
Boynton,	Lee,	Severson,
Horgan,	Lohnes,	Wallen,
James,	McArthur,	Mr. Speaker.
Johnston,	McLean,	

Messrs. Ritter and Severson being excused.

So the bill as amended passed and the title was agreed to.

House Bill No. 214,

A bill for an act to provide for the trial of cases tried by the district court without a jury and for the hearing of such actions on appeal,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 45, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Holliday,	Plain,
Bullard,	Hurley,	Rinde,
Burkhardt,	Johnson of Sargent,	Sanford,
Churchill,	Johnson of G'd Forks,	Satterlund,
Cochrane,	Johnston,	Simpson,
Davis,	Kelly,	Southard,
Deans,	Larson,	Strom,
Ebbighausen,	Logan,	Thexton,
Elliott,	McCanna,	Thompson,
Hagen,	McCulloch,	Towers,
Hall,	Newman,	Tufts,
Hallum,	O'Keefe,	Ueland,
Halvorson,	Oksendahl,	Wineman,
Haugen,	Oliver,	Wishek,
Hodgson,	Pierce,	Yegen.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Lee,	Severson,
Boynton,	Levang,	Veeder,
Caldwell,	Lohnes,	Wallen,
Havrevold,	McArthur,	Wright,
Horgan,	McLean,	Mr. Speaker.
James,	Ritter,	

Messrs. Ritter and Severson being excused.

So the bill passed and the title was agreed to.

House Bill No. 170,

A bill for an act for the registration of the legal voters of this State outside of cities containing more than 3,000 people, to be made from data and other means to be furnished the local assessor,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 40, nays 4.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Johnson of Sargent,	Rinde,
Bullard,	Johnson of G'd Forks,	Sanford,
Caldwell,	Johnston,	Satterlund,
Churchill,	Kelly,	Southard,
Davis,	Levang,	Strom,
Deans,	Logan,	Thexton,
Ebbighausen,	McCanna,	Thompson,
Elliott,	McCulloch,	Towers,
Hagen,	O'Keefe,	Ueland,
Hall,	Oksendahl,	Veeder,
Hallum,	Oliver,	Wineman,
Halvorson,	Pierce,	Wishek,
Hodgson,	Plain,	Yegen.
Holliday,		

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Hurley,	Tufts,	Wright,
Larson,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Horgan,	Newman,
Boynton,	James,	Ritter,
Burkhardt,	Lee,	Severson,
Cochrane,	Lohnes,	Simpson,
Haugen,	McArthur,	Wallen,
Havrevold,	McLean,	Mr. Speaker.

Messrs. Ritter and Severson being excused.

So the bill passed and the title was agreed to.

House Bill No. 213,

A bill for an act to provide for ascertaining and collecting the just amount to be paid for taxes on property in case of invalidity of tax proceedings,

Was read the third time and placed upon its final passage.

Mr. Elliott moved

That the further consideration of House Bill No. 213 be indefinitely postponed,

Which motion prevailed, and

The bill was indefinitely postponed.

Mr. Speaker called Mr. Ueland to the chair.

House Bill No. 100,

A bill for an act providing for the establishment of courts of conciliation, and prescribing the mode of procedure in same,

Was read the third time and placed upon its final passage.

Mr. Strom asked unanimous consent to amend the bill by striking out in section 3 all the words after the word "receive," line 1, and including the word "receive" in line 4,

Which consent was granted.

The question being upon the passage of the bill as so amended.

The roll being called there were ayes 45, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Holliday,	Rinde,
Bentley,	Hurley,	Sanford,
Bullard,	Johnson of Sargent,	Satterlund,
Burkhardt,	Johnson of G'd Forks,	Simpson,
Caldwell,	Johnston,	Southard,
Churchill,	Kelly,	Strom,
Davis,	Larson,	Thexton,
Deans,	Levang,	Thompson
Elliott,	Logan,	Towers,
Hagen,	McCanna,	Tufts,
Hallum,	Newman,	Ueland,

Messrs—	Messrs—	Messrs—
Haugen,	O'Keefe,	Veeder,
Havrevold,	Oksendahl,	Wineman,
Hodgson,	Oliver.	Wright,
McCulloch	Plain,	Yegen.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	James,	Ritter,
Cochrane,	Lee,	Severson.
Ebbighausen,	Lohnes,	Wallen,
Hall,	McArthur,	Wishek,
Halvorson,	McLean,	Mr. Speaker.
Horgan,	Pierce,	

Messrs. Ritter and Severson being excused.

So the bill as amended passed and the title was agreed to.

Mr. Havrevold moved

That the vote by which House Bill No. 100 was passed be reconsidered, and that the motion to reconsider be laid upon the table,

Which motion prevailed.

House Bill No. 181,

A bill for an act to amend sections 48, 60, 61, 63 and 70 of chapter 62 of the Laws of 1890, relative to school district officers,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

Mr. McCanna moved

That the further consideration of House Bill No. 181 be indefinitely postponed,

Which motion prevailed.

House Bill No. 150,

A bill for an act to amend section 8 of chapter 91 of the Printed Laws of 1890, in relation to the issuance of marriage licenses,

Was read the third time and placed upon its final passage.

The question being on the final passage of the bill.

The roll being called there were ayes 46, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Johnson of Sargent,	Sanford,
Bentley,	Johnson of G'd Forks,	Satterlund,
Bullard,	Johnston,	Simpson,
Burkhardt,	Kelly,	Southard,
Churchill,	Larson,	Strom,
Cochrane,	Lohnes,	Thexton,
Davis,	McCanna,	Thompson,
Deans,	McCulloch,	Towers,
Elliott,	Newman,	Tufts,
Hallum,	O'Keefe,	Ueland,
Halvorson,	Oksendahl,	Veeder.
Havrevold,	Oliver,	Wineman,

Messrs—	Messrs—	Messrs—
Hodgson,	Pierce,	Wishek,
Holliday,	Plain,	Wright,
Haugen,	Rinde,	Yegen.
Hurley,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	James,	McLean,
Caldwell,	Lee,	Ritter,
Ebbighausen,	Levang,	Severson,
Hagen,	Logan,	Wallen,
Hall,	McArthur,	Mr. Speaker.
Horgan,		

Messrs. Severson and Ritter being excused.

So the bill passed and the title was agreed to.

House Bill No. 201,

A bill for an act providing for a State bounty for the destruction of wolves,

Was read the third time and placed upon its final passage.

Mr. Oliver asked unanimous consent to strike out the word "five" in line 2 of section 1 of printed bill, and insert the word "two."

There being no objections the amendment was adopted.

The question being upon the passage of the bill as amended.

The roll being called there were ayes 47, nays 3.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Havrevold,	Rinde,
Bentley,	Hodgson,	Sanford,
Bullard,	Hurley,	Satterlund,
Burkhardt,	Johnson of Sargent,	Simpson,
Caldwell,	Johnson of G'd Forks,	Southard,
Churchill,	Johnston,	Strom,
Cochrane,	Larson,	Thompson,
Davis,	Logan,	Towers,
Deans,	Lohnes,	Tufts,
Ebbighausen,	McCanna,	Ueland,
Elliott,	McCulloch,	Veeder,
Hagen,	Newman,	Wineman,
Hall,	O'Keefe,	Wishek,
Hallum,	Oksendahl,	Wright,
Halvorson,	Oliver,	Yegen.
Haugen,	Pierce,	

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Holliday,	Levang,	Thexton.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Lee,	Ritter,
Horgan,	McArthur,	Severson,
James,	McLean,	Wallen,
Kelly,	Plain,	Mr. Speaker.

Messrs. Severson and Ritter being excused.

So the bill as amended passed and the title was agreed to.

House Bill No. 110,

A bill in relation to persons and corporations offering premiums for testing the speed of horses, and to prevent the fraudulent entering of horses to compete for such premiums,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

Mr. McCanna moved

That the further consideration of House Bill No. 110 be indefinitely postponed.

Mr. Strom moved

That the motion to indefinitely postpone be laid upon the table, Which motion prevailed.

The question being upon the final passage of the bill.

The roll being called there were ayes 42, nays 5.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Ebbighausen,	Pierce,
Bentley,	Havrevold,	Sanford,
Bullard,	Hodgson,	Satterlund,
Burkhardt,	Hurley,	Simpson,
Caldwell,	Johnson of G'd Forks,	Southard,
Churchill,	Johnston,	Strom,
Davis,	Kelly,	Towers,
Deans,	Larson,	Tufts,
Elliott,	Lohnes,	Ueland,
Hagen,	McCanna,	Veeder,
Hall,	Newman,	Wineman,
Hallum,	O'Keefe,	Wishek,
Halvorson,	Oksendahl,	Wright,
Haugen,	Oliver,	Yegen.

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Johnson of Sargent,	Plain,	Thexton.
Levang,	Rinde,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Lee,	Ritter,
Cochrane,	Logan,	Severson,
Holliday,	McArthur,	Thompson,
Horgan,	McCulloch,	Wallen,
James,	McLean,	Mr. Speaker.

Messrs. Ritter and Severson being excused.

So the bill passed and the title was agreed to.

Mr. Speaker called Mr. Ueland to the chair.

House Bill No. 32,

A bill for an act to amend section 3, chapter 100 of the Ses-

sion Laws of 1890, providing for the collection of city and school taxes,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 44, nays 6.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Johnson of Sargent,	Sanford,
Bullard,	Johnson of G'd Forks,	Satterlund,
Burkhardt,	Johnston,	Southard,
Davis,	Kelly,	Strom,
Ebbighausen,	Larson,	Thexton,
Elliott,	Levang,	Thompson,
Hagen,	Logan,	Towers,
Hall,	McCanna,	Tufts,
Hallum,	McCulloch,	Ueland,
Halvorson,	Newman,	Veeder,
Haugen,	Oksendahl,	Wineman,
Havrevold,	Oliver,	Wishek,
Hodgson,	Pierce,	Wright,
Holliday,	Plain,	Yegen.
Hurley,	Rinde,	

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Bentley,	Churchill,	Lohnes,
Caldwell,	Cochrane,	Simpson.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Lee,	Ritter,
Deans,	McArthur,	Severson,
Horgan,	McLean,	Wallen,
James,	O'Keefe,	Mr. Speaker.

Messrs. Ritter and Severson being excused.

So the bill passed and the title was agreed to.

Mr. Oliver gave notice that on Monday or some future day he would move to reconsider the vote by which House Bill No. 32 was passed.

Mr. Newman moved

That the vote by which House Bill No. 32 passed be reconsidered and the motion to reconsider be laid on the table.

Mr. Speaker decided that the motion was out of order.

House Bill No. 156,

A bill for an act to amend section 72 of chapter 62 of the Laws of 1890, and sections 17 and 18 of chapter 56 of the Laws of 1891, Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 48, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hodgson,	Plain,
Bullard,	Holliday,	Rinde,
Burkhardt,	Hurley,	Sanford,
Caldwell,	Johnson of Sargent,	Satterlund,
Churchill,	Johnson of G'd Forks,	Simpson,
Cochrane,	Johnston,	Southard,
Davis,	Kelly,	Strom,
Deans,	Larson,	Thexton,
Ebbighausen,	Levang,	Thompson,
Elliott,	Logan,	Towers,
Hagen,	Lohnes,	Tufts,
Hall,	McCulloch,	Ueland,
Hallum,	Newman,	Veeder,
Halvorson,	Oksendahl,	Wineman,
Haugen,	Oliver,	Wright,
Havrevold,	Pierce,	Yegen.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	McArthur,	Severson,
Boynton,	McCanna,	Wallen,
Horgan,	McLean,	Wishek,
James,	O'Keefe,	Mr. Speaker.
Lee,	Ritter,	

Messrs. Ritter and Severson being excused.

So the bill passed and the title was agreed to.

Mr. Wineman gave notice that on Monday or some future day he would move to reconsider the vote by which House Bills Nos. 142 and 148 were lost.

House Bill No. 67,

A bill for an act to amend section 66 and repeal section 67 of chapter 132 of the Laws of 1890,

Was read the third time and placed upon its final passage.

The question being on the final passage of the bill.

The roll being called there were ayes 47, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Holliday,	Plain,
Bentley,	Hurley,	Rinde,
Bullard,	Johnson of Sargent,	Sanford,
Burkhardt,	Johnson of G'd Forks,	Satterlund,
Caldwell,	Johnston,	Simpson,
Churchill,	Kelly,	Southard,
Davis,	Larson,	Strom,
Deans,	Levang,	Thexton.
Ebbighausen,	Logan,	Towers,
Elliott,	Lohnes,	Tufts,
Hall,	McCanna,	Ueland,
Hallum,	McCulloch,	Veeder,
Halvorson,	Newman,	Wineman,
Haugen,	Oksendahl,	Wishek,
Havrevold,	Oliver,	Yegen.
Hodgson,	Pierce,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Lee,	Severson,
Cochrane,	McArthur,	Thompson,
Hagen,	McLean,	Wallen,
Horgan,	O'Keefe,	Wright,
James,	Ritter,	Mr. Speaker.

Messrs. Ritter and Severson being excused

So the bill passed and the title was agreed to.

The Joint Special Committee on House Bill No. 224 made the following report:

MR. SPEAKER:

Your Joint Special Committee, to whom was referred House Bill No. 224,

A bill for an act providing for the compilation, revision and codification of the Laws of North Dakota, and the publication and distribution and sale thereof, and to repeal chapter 82 of the Laws of 1891, in relation thereto,

Have had the same under consideration and recommend that the same be amended as follows:

Amend section 2, line 6, of printed bill by adding after the word "clerk" "and stenographer."

Amend section 9, line 7, of printed bill by striking out "\$800" and inserting "\$1,200" in lieu thereof, and adding "and stenographer \$800."

And when so amended recommend that the same do pass.

JOHN N. DEANS,
Chairman of House Committee.
JOHN E. HAGGART,
Chairman of Senate Committee.

Mr. Deans moved

That the report of the committee be adopted,
Which motion prevailed.

Mr. Ueland moved

That the rules be dispensed with and that all reports of committees for the day be received and referred according to the rules and printed in the Journal without being read,

Which motion was lost.

The Committee on Engrossed Bills made the following report

MR. SPEAKER:

Your Committee on Engrossed Bills have examined House Bill No. 149,

A bill for an act authorizing the appointment of stenographers for the District Courts of this State and prescribing their duties and compensation, and repealing chapter 152 of the Laws of

1879, being sections 481, 482, 483, 484, 485 and 486 of the Compiled Laws of 1887, in relation thereto,

And find the same correctly engrossed.

J. DEXTER PIERCE,
Chairman.

Mr. Ueland moved

That the rules be suspended and that the reports of standing committees be now read,

Which motion prevailed.

The Committee on Enrolled Bills made the following report:

MR. SPEAKER:

Your Committee on Enrolled Bills have examined

House Bill No. 13,

A bill for an act prescribing the qualifications of deputies, clerks and employes of the State, county and municipal governments of and within the State of North Dakota.

Also,

House Bill No. 101,

A bill for an act entitled "An act fixing the manner of transferring interest in real estate by corporations,"

And find the same correctly enrolled.

ARNE P. HAUGEN,
Chairman.

The Committee on Labor made the following report:

MR. SPEAKER:

Your Committee on Labor, to whom was referred

House Bill No. 209,

A bill for an act to repeal chapter 36 of the Session Laws of 1890, being an act to encourage the manufacture of potato starch in the State of North Dakota,

Have had the same under consideration and recommend that the same do pass.

W. T. McCULLOCH,
Chairman.

The Committee on Warehousing, Grain and Grain Grading made the following report:

MR. SPEAKER:

Your Committee on Warehousing, Grain and Grain Grading, to whom was referred

House Bill No. 230,

A bill for an act relating to the receiving and handling of grain and other products by railway companies,

Have had the same under consideration and recommend that the same be indefinitely postponed.

H. S. OLIVER,
Chairman.

The Special Committee on County Funds made the following report:

MR. SPEAKER:

Your Committee on County Funds, to whom was referred House Bill No. 187,
A bill for an act repealing chapter 20 of the Laws of 1885,
Have had the same under consideration and recommend that the same do pass.

H. S. OLIVER,
Chairman.

The Committee on Warehouses made the following report:

MR. SPEAKER:

Your Committee on Warehouses, to whom was referred Senate Bill No. 11,
A bill for an act authorizing county commissioners to establish in suitable localities public scales and regulating the appointment and duties of public weighmasters,
Have had the same under consideration and recommend that the same do pass.

H. S. OLIVER,
Chairman.

The Committee on Forestry made the following report:

MR. SPEAKER:

Your Committee on Forestry, to whom was referred a concurrent resolution,
Have had the same under consideration and recommend that the same be amended as follows:

After the word "aside" in line of printed bill strike out the letter "a" and insert the word "that" in lieu thereof. After the word "region" in same line insert situated in the county of Bottineau.

And when so amended recommend that the same do pass.

Also,

House Bill No. 236,

A bill for an act to amend section 4 of chapter 76 of the Laws of 1891,

And return the same without recommendation.

D. W. McCANNA,
Chairman.

The Judiciary Committee made the following report:

MR. SPEAKER:

Your Judiciary Committee, to whom was referred House Bill No. 229,
A bill for an act to enable land owners of lands to drain and reclaim them, prescribing the powers and duties of county commis-

sioners and other officers in the premises, and to provide for repairing and enlarging such drains,

Have had the same under consideration and recommend that the same be indefinitely postponed.

Also,

House Bill No. 244,

A bill for an act to amend section 2 of chapter 169 of the Laws of 1890, entitled "An act fixing the times and places of holding general and special terms of the Supreme Court of the State of North Dakota and providing for the expenses incident thereto,"

And recommend that the same do pass.

Also,

Senate Bill No. 95,

A bill for an act fixing the salaries of the judges of the district courts,

And recommend that the same do pass.

Also,

House Bill No. 241,

A bill for an act to revise and consolidate the Laws of this State providing for the drainage of swamps, marshes and other low lands and to repeal the act of March, one thousand eight hundred eighty-three (Laws of 1883, chapter 75, page 177), and all amendments thereof.

And recommend that the same be amended as follows:

Amending title to read as follows:

A bill for an act to provide for the establishing, constructing and maintaining drains in this State.

By striking out from line 1 of section 1 the words "the people of the State of North Dakota enact that."

By striking out of line 9 of section 1 the word "clerk" and inserting the word "auditor."

By striking out from line 3 of section 4 the word "county" and inserting the word "district."

By striking out from line 13 of section 4 the word "county" and inserting the word "district."

By striking out of line 16 in section 5 the word "also" and inserting after the word "comprehend" in said line the following: "Plans and specifications of proposed drain and estimate of cost thereof."

By inserting after the word "part" in line 19 the following: "Which plans, specifications and estimates and maps shall be filed in the office of the county auditor of the county or counties traversed by such ditch or drains subject to inspection."

By striking out in line 7 of section 7 the word "county" and inserting the word "district" before the word "court."

By striking out from the same line the words "for the appointment of three special commissioners."

By inserting in line 12 of section 7 the following: "And shall state the facts which constitute the public necessity therefor."

By striking out from lines 13 and 14 in section 7 the following: "And at which the special commission are required to attend."

By striking out sections 9, 10 and 11 and inserting the following: "The hearing upon said application may be had in term time or out of term unless

a jury be in attendance on the court of at least twenty-four disinterested persons; the court shall cause to be summoned from the county twenty disinterested persons with the qualifications of jurymen, from whom shall be selected in the manner provided by law for the selection of jurors in civil cases twelve men, who shall constitute a jury for the determination of the questions presented by such application. The person or persons interested in the property sought to be taken or damaged may answer such application and may waive a jury trial, but unless such trial be so waived, the trial must be by jury and the jury shall determine:

First. Whether such ditch will be conducive to the public health, convenience or welfare.

Second. Whether the route thereof is practicable.

Third. Amount of damages allowed to any person or persons or corporations.

And the court shall enter the proper judgment thereon. The damages allowed shall be irrespective of the benefits which the particular parcel of land will receive by the construction of such ditch, but such land shall be assessed as other lands are assessed for such benefits. The costs of all such proceedings shall be paid out of the fund raised for the purpose of constructing such ditch if the construction of the same be ordered. If no ditch is established such costs shall be paid by the county. Any party aggrieved may appeal from the judgment of the district court as in civil cases and upon such appeal costs may be awarded in the discretion of the court. In case of a finding by the jury adverse to the establishment of such drain, no other applications for the same object shall be entertained within one year.

By striking out from line 3 in section 12 the word "resulting" and inserting the word "awarded."

By striking out from line 10 in section 12 the words "county clerk" and inserting the word "county auditor."

By striking out in line 12 of section 14 the word "county" and inserting the word "district."

By inserting in line 19 in section 15 after the word "time" the words "and place."

By inserting after the word "two" in line 2 of section 16 the following: "Hear all complaints relative to such assessments and correct the same."

By striking out of line 7, 8 and 9 in section 18 the following words: "According to the per cent. which the sum of the assessment of benefits under section 12 of this act," and inserting the following: "And assess the amount to be paid."

By striking out from lines 9, 10 and 11 of section 18 the following: "May be to the assessed valuation of the said land at the time of its last valuation by the proper assessing officer," and inserting the following: "In proportion to the benefits it receives from such drain."

By inserting in line 11, after the word "apportionment," the words "and assessment."

By inserting at the end of section 18 the following: "Within two days after the service of such notice as aforesaid, the board of county drain commissioners shall appoint a time and place of such apportionment and assessment and shall give notice thereof by a notice which, with such apportionment list, must be published once in each of two consecutive weeks in a newspaper of general circulation printed and published in said county, and on the day mentioned in such notice such commissioners shall meet and hear all complaints on such apportionment and assessment and correct and confirm the same, and the said list shall thereupon be filed in the office of the county auditor in which such lands, cities, towns and townships are located, and shall constitute the assessment roll of such drain. Said commissioners may adjourn from day to day and if a quorum be not present less than a quorum may adjourn such meeting."

By inserting after the end of section 40 the following:

"Whenever such bonds shall be issued the tax and assessment hereinbe-

fore provided for shall not be collected all in one year, but shall be divided into as many parts as such bonds have years to run and one of such parts shall be extended upon the tax roll by the county auditor against the proper parcel of land in each and every year and collect it in such year, and such fund shall constitute the sinking fund provided by this section, and the board of county commissioners shall in each year, at the time of levying the taxes, levy a tax sufficient to pay the annual interest on said bonds."

By renumbering the sections of the bill as made necessary by the amendments.

And when so amended recommend that the same do pass.

SETH NEWMAN,
Chairman.

Mr. Tufts moved

That the report of the committee on House Bill No. 241 be adopted,

Which motion prevailed.

A majority of the Judiciary Committee made the following report:

MR. SPEAKER:

Your Judiciary Committee had House Bill No. 221 under consideration and a majority thereof recommend that the bill be amended as follows:

Add after the word "husbandry" on line 10 of page 2 the words "necessary for the cultivation of 160 acres of land;" strike out the word "three" where it occurs on lines 10 and 11 of said page 2 and insert in lieu thereof the word "four;" strike out the word "one" on said line 11 and insert in lieu thereof the word "two;" change the words cart, wagon and vehicle on lines 11 and 12 of said page to the plural number; add the word "this" between the words "and" and "calves" on said line 12; strike out the words "three months" on line 13 of said page and insert in lieu thereof the words "one year;" add after the word "hand" on line 14 of said page the word "sufficient;" strike out all of subdivision numbered "second" on page 2 after the word "sowing" on line 15 and add the words and figures "160 acres of land;" strike out all of subdivision numbered "fifth" of section 2 after the word "attachment" on line 39 on page 3; strike out all of line 48 of page 4 after the word "debtor."

Add the following, to be numbered subdivision "eight."

Eighth. In addition to the foregoing the sum of \$500 in money.

Add after word "frames" in line 9, page 2, words "one musical instrument."

And recommend that said bill when so amended do pass.

W. F. COCHRANE,
L. A. SIMPSON,
J. B. WINEMAN,
A. P. HAUGEN,
J. H. WISHEK,
H. C. SOUTHARD,
SETH NEWMAN,
A. V. BENEDICT,
J. DEXTER PIERCE,
L. A. UELAND,
H. H. STROM,
JOHN E. HODGSON,
RALPH HALL.

The Judiciary Committee made the following report:

MR. SPEAKER:

Your Judiciary Committee, to whom was referred
House Bill No. 221,

A bill for an act to amend the law relating to exemptions by amending sections 322 and 325 and repealing section 324 of the Code of Civil Procedure,

Have had the same under consideration and recommend that the same be amended by striking out all of said bill except section 1. First. That the title of said bill be amended by striking out after the words "amending sections 322," all of said title, so that the title will read "for an act to amend the law relating to exemption by amending section 322 of the Code of Civil Procedure."

SETH NEWMAN,
Chairman.

The Committee on Taxation and Tax Laws made the following report:

MR. SPEAKER:

Your Committee on Taxation and Tax Laws, to whom was referred

House Bill No. 243,

A bill for an act to amend section 3 of chapter 91 of the Session Laws of 1891, for the purpose of including all lands in its provisions and requiring a judgment to be obtained to make the expense a tax on the land,

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 242,

A bill for an act to amend section 55 of chapter 132 of the Laws of 1890,

And recommend that the same do pass.

Also,

House Bill No. 239,

A bill for an act to amend section 79 of chapter 132 of the Laws of 1890, being an act entitled "An act prescribing the mode of making assessment and the levy and collection of taxes and for other purposes relative thereto,"

And recommend that the same do pass.

Also,

House Bill No. 233,

A bill for an act to amend section 91 of chapter 132 of the Laws of 1890, being an act entitled "An act prescribing the mode of making assessment and the levy and collection of taxes and for other purposes relating thereto,

And recommend that the same do pass.

Also,

House Bill No. 228,

A bill for an act to prevent property from escaping taxation through technical defects,

And recommend that the same do pass.

Also,

House Bill No. 222,

A bill for an act to amend section 78 of chapter 132 of the Laws of 1890,

And recommend that the same do pass.

H. C. SOUTHARD,
Chairman.

The Committee on Ways and Means made the following report:

MR. SPEAKER:

Your Committee on Ways and Means, to whom was referred House Bill No. 246,

A bill for an act authorizing the refunding of outstanding city bonds and warrants,

Have had the same under consideration and recommend that the same do pass.

W. F. COCHRANE,
Chairman.

The Committee on Public Printing made the following report:

MR. SPEAKER:

Your Committee on Public Printing, to whom was referred House Bill No. 173,

A bill for an act to amend section 77 of the Civil Code, being section 2588 of the Compiled Laws, relating to husband and wife,

Have had the same under consideration and recommend that the same do pass.

J. H. WISHEK,
Chairman.

The Committee on Agriculture made the following report:

MR. SPEAKER:

Your Committee on Agriculture, to whom was referred House Bill No. 223,

A bill for an act providing for the destruction of weeds along the public highways,

Have had the same under consideration and recommend that the same be amended as follows:

That the title be amended to read as follows:

"A bill for an act to provide for the destruction of weeds and grass upon public highways."

Also, that section 1 be amended by inserting before the word "every" in line 1 the following:

"Any town board of supervisors of any town in North Dakota may require."

Also, by striking out the words "the State of North Dakota" in line 2 of the printed bill and insert in lieu thereof the words "said town."

Also, by striking out of line 8 the words "such township or county" and insert in lieu thereof the words "the town in which such land is situated."

Also, by striking out all of section 1 after the word "treasury" in line 11 of printed bill and insert in lieu thereof the following: "As the town board of supervisors shall deem reasonable and adequate."

And when so amended recommend that the same do pass.

N. H. RINDE,
Chairman pro tem.

The Committee on Sheep Husbandry made the following report:

MR. SPEAKER:

Your Committee on Sheep Husbandry, to whom was referred Senate Bill No. 83,

A bill for an act to amend section 5 of chapter 58 of the Laws of 1887, being section 2369 of the Compiled Laws, relating to the protection of birds.

Have had the same under consideration and recommend that the same do pass.

Also,
House Bill No. 172,

A bill for an act to amend section 1 of an act entitled "An act to amend sections 1, 2 and 3 of chapter 63 of the General Laws of 1881, relating to sheep husbandry,"

And recommend that the same do pass.

JOHN A. DAVIS,
Chairman.

The special Committee on Illuminating Oils made the following report:

MR. SPEAKER:

Your special Committee on Illuminating Oils, to whom was referred

House Bill No. 212,

A bill for an act to amend section 2 of chapter 107 of the Session Laws of 1890, entitled "An act to provide for the inspection of illuminating oils manufactured from petroleum or coal oils, for the purpose of raising the tests of oils,

Have had the same under consideration and recommend that the same be amended as follows:

Strike out all after the enacting clause and insert the following:

SECTION 1. That section 2, chapter 107 of the Laws of 1890 be so amended as to read as follows:

§ 2. OILS—How INSPECTED.] It shall be the duty of said State Inspector of Oils to examine and test, as provided by this act, the quality of all mineral or petroleum oil or any oil, fluid or substance which is a product of petroleum or into which petroleum or any product of petroleum enters or is found as a constituent element, whether manufactured within the State or not, before

the same is offered for sale or sold for consumption for illuminating purposes within the State; and such inspection shall be conducted as herein provided, in the following manner: The test shall be made in a test cup known as the "Foster cup" or "Foster's Automatic Oil Tester," and it shall be unlawful to sell for illuminating purposes any oil or oils herein described to be consumed within the State which will not bear a flash test of 120 degrees Fahrenheit, as shown by said apparatus, or which for any reason whatever shall not remain clear and transparent upon being cooled to a temperature equal to that of twenty degrees above zero point of Fahrenheit's thermometer (20 deg. Fah.), and kept at said temperature for a period not less than ten minutes of time, or which shall deposit any solid particles of paraffine when cooled as aforesaid, shall be deemed unfit for illuminating purposes, and the cask, barrel or other package containing the same shall be marked "rejected," as herein provided.

And when so amended recommend that the same do pass.

G. W. TOWERS,
Chairman.

The Committee on Ways and Means made the following report:

MR. SPEAKER:

Your Committee on Ways and Means, to whom was referred
House Bill No. 175,

A bill for an act to amend sections 1 and 2 of chapter 1 of the Laws of 1889, entitled "An act to provide security to the public against errors, omissions and defects in abstracts of real estate,"

Have had the same under consideration and recommend that the same be amended as follows:

By adding on line 11 of section 1 of the printed bill after the word "taken" the following, "or abstracting from said books all data necessary for the preparation of abstracts."

By striking out the following on lines 1 and 2 of section 2, "procured said duplicate set of books" and inserting in lieu thereof the following, "complied with the provisions of section 1."

By striking out all after the word "after" on line 6 of said section 2 to the word "filed" on line 8 of said section and inserting in lieu thereof the following: "The provisions of the preceding section have been complied with."

By adding after the word "aforesaid" in lines 19 and 20 of said section 2 the following: "Or abstract sufficient data therefrom."

By striking out all of section 3 to and including the word "therefore" on line 3 thereof and add the words "one year" after the word "force" on said line 3.

And when so amended recommend the same do pass.

W. F. COCHRANE,
Chairman.

The Committee on Banks and Banking made the following report:

MR. SPEAKER:

Your Committee on Banks and Banking, to whom was referred
House Bill No. 93,

A bill for an act to amend section 24 of chapter 132 of the Laws of 1890,

Have had the same under consideration and recommend

the following substitute bill, with the recommendation that the substitute bill do pass:

Substitute for House Bill No. 93.

A BILL

For an act to amend section 24 of chapter 132, Laws of 1890.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

SECTION 1. That section 24 of chapter 132, Laws of 1890, be amended so as to read as follows: "Section 24. (Amendment. Bank stock, where and at what valuation to be listed.)

The stockholders of every bank located in this State, or of the United States, shall be assessed and taxed on the value of their shares of stock therein in the county, town, district, city or village where such bank or banking association is located, and not elsewhere, whether such stockholders reside in such places or not; such shares shall be listed and assessed annually, with regard to the ownership and value thereof, on the first day of May of each year. To aid the assessor in determining the value of such shares of stock, the accounting officer of every bank shall furnish a statement to the assessor, verified by oath, showing the amount and number of such shares of capital stock of such bank, and amount of its surplus or reserve fund, and the amount of its legal investments in real estate, which real estate shall be assessed and taxed as other real estate is assessed and taxed under this act.

A legal investment in real estate within the meaning of this act shall be deemed to be the real estate and building thereon used for banking purposes, and any other real estate acquired through foreclosure or conveyed to it in satisfaction of debts previously contracted, or such as it shall purchase under judgments, decrees, or mortgages held by such corporation or association to secure debts due it, when the same is not sold or contracted to be sold, nor owned by such corporation or association for more than five years.

The assessor shall deduct the amount of investment in real estate from the amount of the capital and surplus fund and the remainder shall be taken as a basis for the valuation of such stock, subject to the provisions of law requiring all property to be assessed at its true and full value. Shares of capital stock of national banks not located in this State, held in the State, shall not be required to be listed.

Sec. 2. Whereas an emergency exists in that the next assessment of personal property will be made before July 1st; therefore this act shall be in force and effect on and after its passage and approval.

Sec. 3. Repeal. All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

T. M. ELLIOTT,
Chairman.

The Committee on Public Printing made the following report:

MR. SPEAKER:

Your Committee on Public Printing, to whom was referred
House Bill No. 211,

A bill for an act to amend sections 7 and 8 of chapter 91, Laws of 1890, relating to marriage license,

Have had the same under consideration and recommend that the same be amended as follows:

1. Amend the title by striking out "and 8" in second line of original bill.

2. Amend the bill by striking out all of section 2, being all that relates to section 8 of said chapter 91, Laws of 1890.

And when so amended recommend that the same do pass.

J. H. WISHEK,
Chairman.

The Committee on Railroads made the following report:

MR. SPEAKER:

Your Committee on Railroads, to whom was referred
Substitute for House Bill No. 113,

A bill for an act fixing liability of railroad corporations for
damage done to stock where said right of way is not fenced,

Have had the same under consideration and recommend that
the same be indefinitely postponed.

O. A. BOYNTON,
Chairman.

Also, the following minority report:

MR. SPEAKER:

Your Committee on Railroads, to whom was referred
Substitute for House Bill No. 113,

A bill for an act fixing liability of railroad corporations for
damage done to stock where said right of way is not fenced,

Have had the same under consideration and recommend that
the same do pass.

JOHN E. HODGSON,
LEWIS THOMPSON,
L. A. UELAND,
Minority.

Mr. Johnson moved the adoption of the minority report on
House Bill No 113.

Mr. Oliver moved,

As a substitute, that the bill be referred to general orders.

Mr. Elliott moved

As an amendment of the substitution motion, that House Bill
No. 113 be made a special order for Monday, February 27, at 11
o'clock a. m., which was accepted,

And the substitute motion prevailed.

Mr. Ueland moved

That the House direct the Chairman of the Railroad Committee
to return House Bill No. 9,

Which motion prevailed.

Mr. Newman moved

That the rules be suspended and that the House do now pro-
ceed to the first and second reading of Senate Bills.

Mr. Hodgson moved

As a substitute, that the rules be suspended and that the House do now proceed to the third reading of House Bills,
Which motion prevailed.

House Bill No. 94,

A bill for an act to establish city boards of health.

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 42, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Havrevold,	Oliver,
Bullard,	Hodgson,	Pierce,
Burkhardt,	Holliday,	Plain,
Caldwell,	Hurley,	Rinde,
Churchill,	Johnson of Sargent,	Sanford,
Cochrane,	Johnson of G'd Forks,	Simpson,
Davis,	Johnston,	Southard,
Deans,	Larson,	Strom,
Ebbighausen,	Levang,	Thexton,
Elliott,	Logan,	Tufts,
Hagen,	McCanna,	Ueland,
Hall,	McCulloch,	Wineman,
Hallum,	Newman,	Wishek,
Haugen,	Oksendahl,	Yegen.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Lohnes,	Thompson,
Boynton,	McArthur.	Towers,
Halvorson,	McLean,	Veeder,
Horgan,	O'Keefe,	Wallen,
James,	Ritter,	Wright,
Kelly,	Satterlund,	Mr. Speaker.
Lee,	Severson,	

Messrs. Ritter and Severson being excused.

So the bill passed and the title was agreed to.

Mr. Newman moved

That the rules be suspended and the House proceed to read and refer Senate bills,

Which motion prevailed.

Senate Bill No. 103,

A bill for an act to provide for the purchase of a site and for the erection of a State elevator at Duluth, Minnesota, or West Superior, Wisconsin, for public storage and the shipment of wheat, and the regulation thereof, and to appropriate money for that purpose.

Was read the first and second times and referred to the Committee on Appropriations.

Senate Bill No. 46,

A bill for the encouragement of higher education and appropriating money therefor,

Was read the first and second times and referred to the Committee on Appropriations.

Mr. Caldwell moved

That when the House adjourn it adjourn to meet at 7:30 to-night,
Which motion was lost.

Mr. Speaker called Mr. Elliott to the chair.

Senate Bill No. 99,

A bill for an act regulating the State law library and making an appropriation for the incidental expenses thereof,

Was read the first and second times and referred to the Committee on Library.

Senate Bill No. 86,

A bill to amend section 1407 of article 5 of chapter 13. Laws of 1887, fees of register of deeds,

Was read the first and second times and referred to the Committee on Counties and County Boundaries.

Senate Bill No. 129,

A bill for an act to amend sections 48, 59, 62, 72 and 76 of chapter 62 of the Laws of 1890, being an act entitled "An act to provide for a uniform system of free public schools throughout the State and to prescribe penalties for violation of the provisions thereof,"

Was read the first and second times and referred to the Committee on Education.

Senate Bill No. 109,

A bill for an act to amend section 45 of chapter 62 of the General Laws of 1890,

Was read the first and second times and referred to the Committee on Education.

Senate Bill No. 128,

A bill for an act to amend section 4 of chapter 65 of the Session Laws of 1891, being an act entitled "An act to amend sections 2, 5, 6 and 11 of chapter 146 of the General Laws of 1890, entitled 'An act to provide for the leasing and sale of the common school lands of North Dakota,' " for the purpose of making specific appropriation by the Legislature to meet expenses that were therefor taken out of the interest and income of the permanent school fund, because the section so amended is in violation of the constitution,

Was read the first and second times and referred to the Committee on School and Public Lands.

Senate Bill No. 132,

A bill for an act authorizing and empowering the acquisition by the State of North Dakota of the parcel of land situated in the County of Pembina, known as the burial ground of the Selkirk settlement, and making an appropriation therefor,

Was read the first and second times and referred to the Committee on Appropriations.

Senate Bill No. 133,

A bill for an act to amend section 163, Session Laws of 1890,

Was read the first and second times and referred to the Committee on Education.

Mr. Elliott moved

That Senate Bill No. 139 be returned to the Senate,
Which motion prevailed.

The Committee on Appropriations made the following report:

MR. SPEAKER:

Your Committee on Appropriations, to whom was referred
House Bill No. 245,

A bill for an act entitled "An act requiring counties to pay the expenses of conveying patients to the Hospital for the Insane at Jamestown and prisoners to the Penitentiary at Bismarck,"

Have had the same under consideration and recommend that the same do pass.

WM. A. BENTLEY,
Chairman.

Mr. Ueland moved

That the rules be suspended and that the House proceed to second reading of House bills,

Which motion prevailed.

House Bill No. 248,

A bill for an act to provide for the licensing of elevators, warehouses and grain dealers,

Was read the second time and referred to the Committee on Warehouse, Grain Grading and Dealing.

House Bill No. 250,

A bill for an act to provide for the acquiring, holding and transfer of real property by aliens,

Was read the second time and referred to the Judiciary Committee.

House Bill No. 255,

A bill for an act to amend section 3 of an act entitled "An act to locate, establish and maintain the North Dakota Academy of Science and to provide for the government thereof," approved March 14, 1890,

Was read the second time and referred to the Joint Committee on Education.

House Bill No. 251,

A bill for an act to fix the compensation of State's attorneys of the State of North Dakota,

Was read the second time and referred to the Judiciary Committee.

House Bill No. 249,

A bill for an act to amend section 11 of chapter 126 of the Laws of 1891, being an act entitled "An act to regulate grain warehouses and the weighing and handling of grain, and defining the duties of the Railroad Commissioners in relation thereto,"

Was read the second times and referred to the Committee on Warehouse, Grain Grading and Dealing.

Mr. Wishek gave notice that on Monday he would move the reconsideration of the vote by which House Bill No. 213 was indefinitely postponed.

Mr. Elliott moved

That when the House adjourns it adjourn to meet at 9 o'clock Monday morning,

Which motion prevailed.

Mr. Simpson moved

That the House do now adjourn,

Which motion prevailed, and

The House adjourned.

J. G. HAMILTON,
Chief Clerk

FIFTY-SIXTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 27, 1893.

The House assembled at 9 a. m., pursuant to adjournment.
The House was called to order by J. G. Hamilton, Chief Clerk.
Prayer by the Chaplain.

Mr. Ueland moved
That the calling of the roll be dispensed with,
Which motion prevailed.

Mr. McCulloch moved
That Mr. Ueland be elected Speaker pro tem.,
Which motion prevailed.

The roll being called there were 36 votes cast of which Mr. Ueland received 36 votes.

Those who voted for Mr. Ueland were:

Messrs—	Messrs—	Messrs—
Benedict,	Halvorson,	McCulloch,
Boynton,	Haugen,	O'Keefe,
Bullard,	Havrevold,	Oksendahl,
Burkhardt,	Hodgson,	Pierce,
Caldwell,	Hurley,	Sanford,
Churchill,	Johnson of Sargent,	Strom,
Cochrane,	Kelly,	Thexton,
Deans,	Larson,	Thompson,
Elliott,	Lee,	Towers,
Hagen,	Levang,	Tufts,
Hall,	Logan,	Wineman,
Hallum,	McCanna,	Yegen.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	McArthur,	Simpson,
Davis,	McLean,	Southard,
Ebbighausen,	Newman,	Ueland,
Holliday,	Oliver,	Veeder,
Horgan,	Plain,	Wallen,
James,	Rinde,	Wishek,
Johnson of G'd Forks,	Ritter,	Wright,
Johnston,	Satterlund,	Mr. Speaker.
Lohnes,	Severson,	

Messrs. Ritter, Satterlund, Severson and Wallen being excused.
So Mr. Ueland was elected Speaker pro tem.,
And Mr. Ueland took the chair.

The committee to revise and correct the Journal made the following report:

MR. SPEAKER:

Your committee to revise and correct the Journal of the fifty-fourth day have examined the same and find the same to be correct.

D. C. TUFTS,
Chairman.

There being no objection, the report was adopted and the Journal of the fifty-fourth day approved.

PRESENTATION OF COMMUNICATIONS AND PETITIONS.

Mr. Johnson of Grand Forks presented the following petition:
To the Honorable Members of the Legislature:

We, the undersigned, dealers in oil, respectfully urge you to do all in your power to prevent the passage of the amendment to the oil inspection law, believing it would be detrimental to our interest and that of the State, and feeling that the present law meets all requirements.

Signed by

THOMAS REGAN,
And Eight Others.

Also,

The following petition, which was presented by Mr. Thompson:
To the Honorable Members of the Senate and House of Representatives of the Third Legislative Assembly of the State of North Dakota:

The undersigned residents of the State of North Dakota, believing that three years is not a sufficient length of time in which to test the workings of the prohibitory plan of dealing with the liquor question, pray your honorable body that you do not take any steps at this session looking towards a resubmission of the question to the people or repeal of the penalty clauses.

Signed by

E. EIDSON,
And Forty-Four Gentlemen and Thirty-Seven Ladies.

Which was referred to the Committee on Temperance.

REPORTS OF STANDING COMMITTEES.

The Committee on Engrossed Bills made the following report

MR. SPEAKER:

Your Committee on Engrossed Bills have examined
House Bill No. 203,

A bill for an act to provide for the ascertaining and giving notice of the lands of the heirs of deceased persons.

Also,

House Bill No. 61,

A bill for an act to amend Section 3 of the Civil Code of 1877.

Also,

House Bill No. 214,

A bill for an act to provide for the trial of cases tried by the district court without a jury and for the hearing of such actions on appeal.

Also,

House Bill No. 168,

A bill for an act to amend sections 17, 18 and 19 of chapter 62 of the Session Laws of 1890, entitled "An act to provide for a uniform system of free public schools throughout the State, and to prescribe penalties for violation of the provisions thereof."

Also,

House Bill No. 52,

A bill for an act to amend chapter 1 of article 1 of the Political Code.

Also,

House Bill No. 186,

A bill for an act entitled "An act to provide for and establish an industrial school and school for manual training at Ellendale, in the county of Dickey and State of North Dakota, as provided for in subdivision 3 of section 16 of the Constitution of this State."

And find the same correctly engrossed.

J. DEXTER PIERCE,
Chairman.

The Committee on Judiciary made the following report:

MR. SPEAKER:

Your Committee on Judiciary, to whom was referred

House Bill No. 252,

A bill for an act to provide for the better improvement of public highways,

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 251,

A bill for an act to fix the compensation of State's Attorneys of the State of North Dakota,

And recommend that the same be reported back without recommendation.

Also,

Senate Bill No. 41,

A bill for an act fixing the fees for filing, renewing and releasing chattel mortgages,

And recommend that the same do pass.

Also,

Senate Bill No. 98,

A bill for an act to amend chapter 5 of the Civil Code, relating to unlawful transfer of real estate, by repealing section 681, relating to unlawful transfers,

And recommend that the same do pass.

J. B. WINEMAN,
Chairman.

The Committee on Railroads made the following report:

MR. SPEAKER:

Your Committee on Railroads, to whom was referred
House Bill No. 9,

A bill for an act regulating the liability of railroad companies or corporations for damages caused by fire escaping from their cars or engines, and the rules of evidence relating thereto,

Have had the same under consideration and recommend that the same do pass.

O. A. BOYNTON,
Chairman.

The Committee on Municipal Corporations made the following report:

MR. SPEAKER:

Your Committee on Municipal Corporations, to whom was referred

House Bill No. 216,

A bill for an act providing for the separation and organization of fractional townships when connected in civil township organization with full congressional townships,

Have had the same under consideration and recommend that the same do pass.

Also,

Senate Bill No. 93,

A bill for an act to amend section 9 of chapter 24 of the Political Code, being section 1030 of the Compiled Laws, as to the incorporation of towns,

And report it back without recommendation.

Also,

House Bill No. 217,

A bill for an act to authorize cities to empty sewerage into rivers within this State,

And recommend that the same be referred to the Committee on State Affairs.

Also,

Senate Bill No. 96,

A bill for an act to amend section 3 of chapter 53 of the Laws of 1887, relating to the support of fire departments,

And recommend that the same do pass.

Also,
Senate Bill No. 66,
A bill for an act relating to the sale of city, town and village
water works,
And recommend that the same do pass.

E. H. LOHNES,
Chairman.

The Committee on Appropriations made the following report:
MR. SPEAKER:
Your Committee on Appropriations, to whom was referred
House Bill No. 171,

A bill for an act to provide for the payment of the outstanding
indebtedness of the Soldiers' Home at Lisbon,

Have had the same under consideration and recommend that
the same be amended as follows:

Amend section 1 by striking out "fifteen thousand dollars" and insert in
lieu thereof "three thousand eight hundred and eighty dollars and thirty-
three cents."

And when so amended recommend that the same do pass.

H. D. HURLEY,
Acting Chairman.

Also,
The following minority report:

MR. SPEAKER:
Your Committee on Appropriations, to whom was referred
House Bill No. 171,
A bill for an act to provide for the payment of outstanding in-
debtedness of the Soldiers' Home at Lisbon.

Have had the same under consideration and recommend that the
same do not pass.

ARNE P. HAUGEN,
J. B. WINEMAN,
WM. O'KEEFE,
H. D. HURLEY,
PAT KELLY,
Minority.

Mr. Benedict moved
That the majority and minority reports on House Bill No. 171
be referred to General Orders,
Which motion prevailed.

The Committee on Counties and County Boundaries made the
following report:

MR. SPEAKER:
Your Committee on Counties and County Boundaries, to whom
was referred
Senate Bill No. 86,

A bill for an act to amend section 7 of article 5 of chapter 13 of the Laws of 1887, entitled "Fees of Registers of Deeds,"

Have had the same under consideration and recommend that the same do pass.

L. A. SIMPSON,
Chairman.

The Committee on Railroads made the following report:

MR. SPEAKER:

Your Committee on Railroads, to whom was referred
House Bill No. 207,

A bill for an act to provide for the right of erection of grain warehouses and elevators on the right-of-way of railroad corporations and contiguous thereto,

Have had the same under consideration and recommend that the same be indefinitely postponed.

H. S. OLIVER,
Chairman.

INTRODUCTION AND FIRST READING OF BILLS, JOINT RESOLUTIONS
AND MEMORIALS.

Mr. Holliday introduced—

House Bill No. 256,

A bill for an act defining the duties of railways in regard to station houses,

Which was read the first time.

Mr. McCulloch introduced—

House Bill No. 257,

A bill for an act to amend section 6916 of the Compiled Laws of 1887, for the purpose of vesting the court with more discretionary powers in rendering the sentences,

Which was read the first time.

Also,

House Bill No. 258,

A bill for an act to authorize the Governor of this State to appoint a detective with power for him to appoint subordinates to secure evidence to aid in the enforcement of the prohibition laws of this State, and to appropriate \$5,000 to pay the salary and contingent expenses,

Which was read the first time.

MOTIONS AND RESOLUTIONS.

Mr. Haugen moved

That the House do now resolve itself into Committee of the Whole for the consideration of general orders,

Which motion prevailed.

Mr. Speaker called Mr. Haugen to the chair.

The Committee of the Whole made the following report:

MR. SPEAKER:

Your Committee of the Whole have had under consideration,
House Bill No. 140,

A bill for an act making an appropriation for necessary buildings and improvements of the grounds now owned by the State for State fair purposes,

Together with the majority and minority reports of the Committee on Agriculture, and recommend that the further consideration of the bill be indefinitely postponed.

Also,

House Bill No. 171,

A bill for an act to provide for the payment of outstanding indebtedness of the Soldiers' Home at Lisbon,

Together with the majority and minority reports of the Committee on Appropriations, and recommend that the bill be recommitted to the Committee on Appropriations.

Also,

House Bill No. 51,

A bill for an act providing for the erection of a dormitory building for the State University at Grand Forks,

Together with the majority and minority reports of the Committee on Appropriations, and recommend that the bill be recommitted to the Committee on Appropriations.

ARNE P. HAUGEN,
Chairman.

Mr. Elliott moved

The adoption of the report of the Committee of the Whole,
Which motion prevailed.

And the report was adopted.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

SENATE CHAMBER,
Bismarck, February 27, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith
Senate Bill No. 14,

A bill for an act to regulate the appointment and prescribe the qualification of special deputy sheriffs, constables, marshals, policemen and other peace officers within the Commonwealth and for the punishment of any person who may exercise the functions of any such officer without authority of law.

Also,

Senate Bill No. 60,

A bill for an act defining the powers and prescribing the duties of the State Treasurer.

Also,
Senate Bill No. 101.

A bill for an act to regulate the manner in which individual and private corporations shall be authorized to contract, maintain and operate public warehouses and elevators on railway rights of way in the State of North Dakota.

Also,
Senate Bill No. 165,

A bill for an act to provide for the division of civil townships containing two or more Congressional townships by the creation of new townships therein.

Also,
Senate Bill No. 166,
A bill for an act authorizing cities to levy and collect an annual poll tax.

Also,
Senate Bill No. 167,
A bill for an act constituting boards of audit for cities and to provide for the presentation and auditing of claims.

Which the Senate has passed and your favorable consideration thereof is respectfully requested.

Respectfully,
FRED FALLEY,
Secretary.

THIRD READING OF HOUSE BILLS.

House Bill No. 193,

A bill for an act to amend an act passed at the Second Session of the Legislative Assembly of the State of North Dakota, approved March 7, 1891, and entitled "An act to regulate the fees of clerks of the district courts of the State of North Dakota,"

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 49, nays 1.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Havrevold,	Pierce.
Bentley,	Hodgson,	Plain,
Boynton,	Hurley,	Satterlund,
Bullard,	James,	Simpson,
Burkhardt,	Johnson of Sargent,	Strom,
Caldwell,	Johnson of G'd Forks,	Thexton.
Churchill,	Kelly,	Thompson,
Cochrane,	Larson,	Towers,
Davis,	Lee,	Tufts,

Messrs—	Messrs—	Messrs—
Deans,	Logan,	Ueland,
Ebbighausen,	McCanna,	Veeder,
Elliott,	McCulloch,	Wineman,
Hagen,	Newman,	Wishek,
Hall,	O'Keefe,	Wright,
Hallum,	Oksendahl,	Yegen,
Halvorson,	Oliver,	Mr. Speaker.
Haugen,		

Mr. McLean voting in the negative.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Holliday,	Lohnes,	Sanford,
Horgan,	McArthur,	Severson,
Johnston,	Rinde,	Southard,
Levang,	Ritter,	Wallen.

Messrs. Ritter. Severson and Wallen being excused.

So the bill passed and the title was agreed to.

The courtesies of the floor were extended to Messrs. Gibbs, Kune, D. B. McLain and H. E. White.

The Committee on Public Printing made the following report:

MR. SPEAKER:

Your Committee on Public Printing, to whom was referred House Bill No. 132,

A bill for an act to amend section 600 of the Code of Civil Procedure, being section 5414 of the Compiled Laws of 1887,

Have had the same under consideration and herewith return and report the same to the House without any recommendation.

Also,

House Bill No. 235,

A bill for an act to provide for the publication and distribution of 500 copies of the Revenue Law as amended,

And recommend that the same be amended as follows:

By inserting in ninth line of original bill after the words "Laws of," the figures and word "1890 and," so as to read "Laws of 1890 and 1891."

And when so amended recommend that the same do pass.

J. H. WISHEK,
Chairman.

House Bill No. 141,

A bill for an act to amend section 75 of chapter 62 of the Laws of 1890, entitled "An act to provide for a uniform system of free public schools throughout the State, and to prescribe penalties for violation of provisions thereof,"

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 45, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Holliday,	Plain,
Bentley,	Hurley,	Sanford,
Bullard,	James,	Satterlund,
Burkhardt,	Johnson of Sargent,	Simpson,
Caldwell,	Johnson of G'd Forks,	Strom,
Churchill,	Kelly,	Thexton,
Cochrane,	Larson,	Thompson.
Davis,	Lee,	Towers,
Deans,	Logan,	Tufts,
Ebbighausen,	McCulloch,	Ueland,
Hagen,	McLean,	Veeder,
Hallum,	Newman,	Wineman,
Halvorson,	O'Keefe,	Wright,
Haugen,	Oksendahl,	Yegen,
Hodgson,	Pierce,	Mr. Speaker.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Levang,	Ritter,
Elliott,	Lohnes,	Severson,
Hall,	McArthur,	Southard,
Havrevold,	McCanna,	Wallen,
Horgan,	Oliver,	Wishek.
Johnston,	Rinde,	

Messrs. Ritter, Severson and Wallen being excused.

So the bill passed and the title was agreed to.

House Bill No. 144,

A bill for an act to amend subdivision 16 of sections 1 and 2 and subdivision 15 of sections 3 and 4 of chapter 86, Laws of 1890,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 44, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	James,	Satterlund,
Bentley,	Johnson of Sargent,	Simpson,
Bullard,	Johnson of G'd Forks,	Strom,
Burkhardt,	Lee,	Thexton,
Churchill,	Levang,	Thompson,
Cochrane,	Logan,	Towers,
Davis,	McCulloch,	Tufts,
Deans,	McLean,	Ueland,
Ebbighausen,	Newman,	Veeder,
Elliott,	O'Keefe,	Wineman,
Hagen,	Oksendahl,	Wishek,
Hallum,	Oliver,	Wright,
Haugen,	Pierce,	Yegen.
Havrevold,	Plain,	Mr. Speaker.
Hodgson,	Sanford,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Hurley,	McCanna,
Caldwell,	Johnston,	Rinde,
Hall,	Kelly,	Ritter,
Halvorson,	Larson,	Severson,
Holliday,	Lohnes,	Southard,
Horgan,	McArthur,	Wallen.

Messrs. Ritter, Severson and Wallen being excused.

So the bill passed and the title was agreed to.

House Bill No. 126,

A bill for an act to define the powers and duties of county and city boards of health and for the prevention and suppression of contagious, infectious and epidemic diseases,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 45, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Haugen,	Pierce,
Bentley,	Hodgson,	Plain,
Boynton,	Hurley,	Satterlund,
Bullard,	James,	Simpson,
Burkhardt,	Johnson of Sargent,	Strom,
Caldwell,	Johnson of G'd Forks,	Thompson.
Churchill,	Kelly,	Towers,
Cochrane,	Larson,	Tufts,
Davis,	Levang,	Ueland,
Deans,	McCulloch,	Veeder,
Ebbighausen,	McLean,	Wineman,
Hagen,	Newman,	Wishek,
Hall,	O'Keefe,	Wright,
Hallum,	Oksendahl,	Yegen.
Halvorson,	Oliver,	Mr. Speaker

Absent and not voting:

Messrs—	Messrs—	Messrs—
Elliott,	Logan,	Sanford,
Havrevold,	Lohnes,	Severson.
Holliday,	McArthur,	Southard,
Horgan,	McCanna,	Thexton,
Johnston,	Rinde,	Wallen,
Lee,	Ritter,	

Messrs. Ritter, Severson and Wallen being excused.

So the bill passed and the title was agreed to.

House Bill No. 69,

A bill for an act to amend section 69 of chapter 132 of the Laws of 1890,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 37, nays 2.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Havrevold,	Sanford,
Bentley,	Hodgson,	Satterlund,
Bullard,	Hurley,	Simpson,
Caldwell,	James,	Thexton,
Churchill,	Johnson of Sargent,	Tufts,
Cochrane,	Johnson of G'd Forks,	Ueland,
Davis,	Larson,	Veeder,
Deans,	Newman,	Wineman,
Ebbighausen,	O'Keefe,	Wishek,
Hagen,	Oksendahl,	Wright.
Hall,	Oliver,	Yegen,
Halvorson,	Plain,	Mr. Speaker.
Haugen,		

Messrs. Burkhardt and Thompson voting in the negative.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Levang,	Ritter,
Elliott,	Logan,	Rinde,
Hallum,	Lohnes,	Severson,
Holliday,	McArthur,	Southard,
Horgan,	McCanna,	Strom,
Johnston,	McCulloch,	Towers,
Kelly,	McLean,	Wallen,
Lee,	Pierce,	

Messrs. Ritter, Severson and Wallen being excused.

So the bill passed and the title was agreed to.

House Bill No. 65,

A bill for an act to amend chapter 48 of the Laws of 1891, amending section 103 of chapter 28, Political Code, as amended by chapter 131 of the Laws of 1890,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 48, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Bentley,	Holliday,	Plain,
Benedict,	Hurley,	Sanford.
Bullard,	James,	Satterlund,
Burkhardt,	Johnson of G'd Forks,	Simpson,
Churchill,	Johnston,	Strom,
Davis,	Larson,	Thexton,
Deans,	Lee,	Thompson,
Ebbighausen,	Levang,	Towers,
Elliott,	Logan,	Tufts,
Hagen,	McCulloch,	Ueland,
Hall,	McLean,	Veeder,
Hallum,	Newman,	Wineman,
Halvorson,	O'Keefe,	Wishek,
Haugen,	Oksendahl,	Wright,
Havrevold,	Oliver,	Yegen,
Hodgson,	Pierce,	Mr. Speaker.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Kelly,	Ritter,
Caldwell,	Lohnes,	Severson,
Cochrane,	McArthur,	Southard,
Horgan,	McCanna,	Wallen.
Johnson of Sargent,	Rinde,	

Messrs. Ritter, Severson and Wallen being excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, February 27, 1893. }

MR. SPEAKER:

I have the honor to inform your honorable body that the Senate has concurred in the House amendments to Senate Bill No. 48.

Respectfully,
FRED FALLEY,
Secretary.

Mr. Oliver (by unanimous consent) introduced—
House Bill No. 259,

A bill for an act to amend section 2024 of the Civil Code, being section 4657 of the Compiled Laws, compilation of 1887, in relation to transfers of personal property,

Which was read the first and second times and referred to the Judiciary Committee.

House Bill No. 108,

A bill for an act to provide for the collection of vital statistics, Was read the third time and placed upon its final passage.

The question being on the final passage of the bill.

Mr. Wineman asked unanimous consent to amend House Bill No. 108 as follows:

Amend section 1, page 2, line 17, by striking out "register of deeds" and inserting "county judge" in lieu thereof.

Which consent was granted and the bill was so amended.

The question being on the final passage of the bill as amended.

The roll being called there were ayes 42, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Bentley,	Hodgson,	Oliver,
Benedict,	Holliday,	Pierce,
Bullard,	Horgan,	Sanford,
Burkhardt,	James,	Satterlund,
Caldwell,	Johnson of Sargent,	Simpson,

Messrs—	Messrs—	Messrs—
Churchill,	Johnson of G'd Forks,	Thexton,
Cochrane,	Johnston,	Tufts,
Davis,	Lee,	Ueland,
Ebbighausen,	Levang,	Veeder,
Elliott,	Logan,	Wineman,
Hagen,	McCanna,	Wishek,
Hall,	McLean,	Wright,
Halvorson,	Newman,	Yegen,
Havrevold,	O'Keefe,	Mr. Speaker.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Lohnes,	Severson,
Deans,	McArthur,	Southard,
Hallum,	McCulloch,	Strom,
Haugen,	Oksendahl,	Thompson
Hurley,	Plain,	Towers,
Kelly,	Rinde,	Wallen.
Larson,	Ritter.	

Messrs. Ritter, Severson and Wallen being excused.

So the bill as amended passed and the title was agreed to.

Mr. Speaker pro tem. announced his signature to House Bill No. 13.

A bill for an act prescribing the qualifications of deputies, clerks and employes of the State, county and municipal governments of and within the State of North Dakota.

Also,
House Bill No. 101,

A bill for an act entitled "An act fixing the manner of transferring interest in real estate by corporations."

House Bill No. 151,

A bill for an act requiring the Board of Railroad Commissioners to ascertain the value of No. 1 hard wheat in Duluth or West Superior, based on the Liverpool market price, and providing for the publication thereof,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 39, nays 9.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Bentley,	Johnson of Sargent,	Sanford,
Boynton,	Johnson of G'd Forks,	Satterlund,
Burkhardt,	Lee,	Simpson,
Caldwell,	Levang,	Strom,
Davis,	Logan,	Thexton,
Deans,	McCanna,	Thompson,
Elliott,	McCulloch,	Towers,
Hagen,	McLean,	Ueland,

Messrs— Hallum, Havrevold, Hodgson, Holliday, Hurley,	Messrs— O'Keefe, Oksendahl, Oliver, Pierce, Plain,	Messrs— Wineman, Wishek, Wright, Yegen, Mr. Speaker.
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Those who voted in the negative were:

Messrs— Benedict, Bullard, Churchill,	Messrs— Hall, Halvorson, Horgan,	Messrs— James, Johnston, Newman.
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Absent and not voting:

Messrs— Cochrane, Ebbighausen, Haugen, Kelly, Larson,	Messrs— Lohnes, McArthur, Rinde, Ritter, Severson,	Messrs— Southard, Tufts, Veeder, Wallen.
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Messrs. Ritter, Severson and Wallen being excused.

So the bill passed and the title was agreed to.

House Bill No. 186,

A bill for an act entitled "An act to provide for and establish an industrial school and school for manual training at Ellendale, in the county of Dickey and State of North Dakota, as provided for in subdivision 3 of section 16 of the Constitution of this State,

Was read the third time and placed upon its final passage.

The question being on the final passage of the bill.

The roll being called there were ayes 36, nays 1.

Those who voted in the affirmative were:

Messrs— Benedict, Bentley, Bullard, Burkhardt, Caldwell, Churchill, Cochrane, Davis, Deans, Elliott, Hallum, Halvorson,	Messrs— Havrevold, Hodgson, James, Johnson of Sargent, Johnson of G'd Forks, Johnston, Lee, Logan, McLean, Newman, O'Keefe, Oliver,	Messrs— Pierce, Plain, Satterlund, Simpson, Strom, Thexton, Towers, Tufts, Ueland, Wishek, Wright, Yegen.
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Mr. Oskendahl voting in the negative.

Absent and not voting:

Messrs— Boynton, Ebbighausen, Hagen, Hall, Haugen,	Messrs— Larson, Levang, Lohnes, McArthur, McCanna,	Messrs— Sanford, Severson, Southard, Thompson, Veeder,
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Messrs—	Messrs—	Messrs—
Holliday,	McCulloch,	Wallen,
Horgan,	Rinde,	Wineman,
Hurley,	Ritter,	Mr. Speaker.
Kelly,		

Messrs. Ritter, Severson and Wallen being excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, February 27, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith
Senate Bill No. 35,

A bill for an act to amend chapter 23, Laws of 1890, entitled
"Organization and Government of State Banks,"

Which the Senate has passed and your favorable consideration
is respectfully requested.

Respectfully,
FRED FALLEY,
Secretary.

Mr. Caldwell moved

That the vote by which House Bill No. 186 passed be reconsid-
ered and the motion to reconsider be laid upon the table,

Which motion prevailed.

House Bill No. 83,

A bill for an act governing the alteration of county boundaries,
Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 42, nays 2.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hodgson,	McCulloch,
Bullard,	Holliday,	Newman,
Burkhardt,	Horgan,	O'Keefe,
Churchill,	Hurley,	Oliver,
Cochrane,	James,	Plain,
Davis,	Johnson of Sargent,	Sanford,
Deans,	Johnson of G'd Forks,	Simpson,
Ebbighausen,	Johnston,	Thexton,
Elliott,	Kelly,	Towers,
Hagen,	Larson,	Tufts,
Hallum,	Lee,	Ueland,
Halvorson,	Levang,	Wineman,
Haugen,	Logan,	Wishek,
Havrevold,	McCanna,	Yegen.

Messrs. Satterlund and Wright voting in the negative.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	McLean,	Southard,
Boynton,	Oksendahl,	Strom,
Caldwell,	Pierce,	Thompson,
Hall,	Rinde,	Veeder,
Lohnes,	Ritter,	Wallen,
McArthur,	Severson,	Mr. Speaker.

Messrs. Ritter, Severson and Wallen being excused.

So the bill passed and the title was agreed to.

House Bill No. 12,

A bill to amend Section 11 of Chapter 126, Session Laws, 1891,
Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 46, nays 1.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hurley,	Oliver,
Bentley,	James,	Plain,
Boynton,	Johnson of Sargent,	Sanford,
Bullard,	Johnson of G'd Forks,	Satterlund,
Burkhardt,	Kelly,	Simpson,
Caldwell,	Larson,	Strom,
Davis,	Lee,	Thexton.
Deans,	Levang,	Thompson,
Ebbighausen,	Logan,	Towers,
Elliott,	McCanna,	Tufts,
Hagen,	McCulloch,	Ueland,
Hallum,	McLean,	Veeder,
Halvorson,	Newman,	Wineman,
Havrevold,	O'Keefe,	Wishek,
Hodgson,	Oksendahl,	Yegen.
Horgan,		

Mr. Churchill voting in the negative.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Cochrane,	Lohnes,	Severson,
Hall,	McArthur,	Southard,
Haugen,	Pierce,	Wallen,
Holliday,	Rinde,	Wright,
Johnston,	Ritter,	Mr. Speaker.

Messrs. Ritter, Severson and Wallin being excused.

So the bill passed and the title was agreed to.

Mr. McCanna moved

That the vote by which House Bill No. 12 was passed be reconsidered and that the motion to reconsider be laid upon the table,
Which motion prevailed.

Mr. Oliver moved

That the House do now take a recess until 1:30 p. m.,

Which motion prevailed, and

The House took a recess.

House reassembled.

Mr. Elliott moved

That the rules be suspended and that House Bill No. 226 be taken from general orders and recommitted to special committee to which it belongs,

Which motion prevailed.

The Committee on Banking made the following report:

MR. SPEAKER:

Your Committee on Banking, to whom was referred
Senate bill No. 94,

A bill for an act to amend sections 1 and 30 of chapter 132 of the Session Laws of 1890, being an act entitled "An act prescribing the mode of making assessment, and the levy and collection of taxes, and for other purposes relative thereto,"

Have had the same under consideration and recommend that the same do pass.

T. M. ELLIOTT,
Chairman.

The Judiciary Committee made the following report:

MR. SPEAKER:

Your Judiciary Committee, to whom was referred
House Bill No. 250,

A bill for an act to provide for the acquiring, holding and transferring of real estate by aliens,

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 259,

A bill for an act to amend section 2024 of the Civil Code, being section 4657 of the Compiled Laws of 1887, in relation to transfers of personal property,

And recommend that the same do pass.

SETH NEWMAN,
Chairman.

House Bill No. 226,

A bill for an act to repeal section 5 of chapter 128 of the General Laws of 1891, entitled "An act to provide for the collection, arrangement and display of the products of the State of North Dakota at the World's Columbian Exposition,"

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 48, nays none.

Those who voted in the affirmative were:

Messrs—

Benedict,
Bentley,
Boynton,
Bullard,
Burkhardt,
Caldwell,
Cochrane,
Davis,
Deans,
Ebbighausen,
Elliott,
Hallum,
Halvorson,
Haugen,
Havrevold,
Hodgson,

Messrs—

Holliday,
Horgan,
Hurley,
James,
Johnson of G'd Forks,
Kelly,
Larson,
Levang,
Logan,
Lohnes,
McCanna,
McCulloch,
McLean,
Newman,
Oksendahl,
Oliver,

Messrs—

Pierce,
Plain,
Sanford,
Satterlund,
Strom,
Thexton,
Thompson,
Towers,
Tufts,
Ueland,
Veeder,
Wineman,
Wishek,
Wright,
Yegen,
Mr. Speaker.

Absent and not voting:

Messrs—

Churchill,
Hagen,
Hall,
Johnson of Sargent,
Johnston,

Messrs—

Lee,
McArthur,
O'Keefe,
Rinde,
Ritter,

Messrs—

Severson.
Simpson,
Southard,
Wallen.

Messrs. Ritter, Severson and Wallen being excused.

So the bill passed and the title was agreed to.

Mr. Boynton moved

That the rules be suspended and that House Bill No. 217 be recalled from the Committee on State Affairs and placed upon its third reading and final passage.

Mr. Johnson of Sargent moved

As a substitute that House Bill No. 81 be included with House Bill No. 217,

Which amendment was lost.

The motion recurring upon the original motion,
The motion prevailed.

Mr. Logan moved

That House Bill No. 168 be indefinitely postponed,
Which motion prevailed.

House Bill No. 250,

A bill for an act for the acquiring, holding and transfer of real property by aliens.

Was read the third time and placed upon its final passage.

The question being on the final passage of the bill.

The roll being called there were ayes 26, nays 25.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Haugen,	Satterlund,
Boynton,	Holliday,	Simpson,
Bullard,	Hurley,	Strom,
Churchill,	Larson,	Tufts,
Cochrane,	Logan,	Veeder,
Ebbighausen,	Newman,	Wineman,
Elliott,	Oliver,	Wishek,
Hall,	Pierce,	Mr. Speaker.
Halvorson,	Plain,	

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Bentley,	Johnson of G'd Forks,	McLean,
Caldwell,	Johnston,	Oksendahl,
Davis,	Kelly,	Sanford,
Hagen,	Lee,	Thexton,
Hallum,	Levang,	Towers,
Havrevold,	Lohnes,	Ueland,
Horgan,	McCanna,	Wright,
James,	McCulloch,	Yegen.
Johnson of Sargent,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Burkhardt,	O'Keefe,	Southard,
Deans,	Rinde,	Thompson,
Hodgson,	Ritter,	Wallen.
McArthur,	Severson,	

Messrs. Ritter, Severson and Wallen being excused.

So the bill was lost, a majority of the members elect and voting not voting therefor.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, February 27, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith
Substitute for Senate Bill No. 79,

A bill for an act to amend section 13 of article 5 of chapter 73 of the Laws of 1887, being section 902 of the Compiled Laws, as to compensation of certain city officers.

Also,

Senate Bill No. 73,

A bill for an act to amend all of chapters 25, 146, 147 and 148 of the Laws of 1890; and to provide for the management, control and disposal of university, school and all other public lands of the State, and the management of the funds arising therefrom, and making an appropriation therefor.

Also,

Senate Bill No. 171,

A bill for an act to provide for the erection of necessary additional buildings for the University of North Dakota at Grand Forks, North Dakota,

Which the Senate has passed and your favorable consideration thereof is respectfully requested.

Respectfully,

FRED FALLEY,
Secretary.

Mr. McCanna moved

That the vote by which House Bill No. 250 was lost be reconsidered and the motion to reconsider be laid upon the table,

Which motion prevailed.

The Committee on Railroads made the following report:

MR. SPEAKER:

Your Committee on Railroads, to whom was referred House Bill No. 169,

A bill for an act to compel all railway companies or corporations operating any line of railway, wholly or in part, within the State of North Dakota to provide all necessary facilities for the unloading from wagons and loading into cars, and furnish cars to all persons offering grain for shipment, and providing penalties for non-compliance with this act,

Report same without recommendation, after being amended as follows, viz.:

After line 3, section 2, after the word "railway" insert "in this State." Line 4, after the word "State" insert "shall give." Line 5, in place of word "any" insert "the." Line 5, after the word "agent" insert "of such railway company or corporation." Line 8, after the word "point" and in place of the word "such" insert the word "which." Line 8, after the word "oral" insert "and." Line 9, in place of word "three" insert "five" and in place of the character "(3)" insert "(5)." Line 10, in place of the word "amount" insert the word "number." Line 12, after word "wagons" insert "or other conveyances." Line 18, in place of the words "forty-eight" insert "twenty-four" and in place of the characters "(48)" insert "(24)." Line 20, in place of the words "forty-eight" insert the words "twenty-four," and in place of the characters "(48)" insert "(24)." Line 21, in place of the word "five" insert the word "three" and in place of the character "(5)" insert "(3)."

Section 3, line 6, after the word "loss" insert the words "or damage." Line 10, after the word "covered" omit the words "in the district" and insert the words "in an action in any," and after the word "of" in line 10 strike out remainder of the line and make it read "this State having jurisdiction." Line 11, strike out all to the word "justices" and insert "of the subject matter. *Provided*, also that," and strike out the words "court where" and insert in lieu thereof the words "shall have jurisdiction under this act where."

Section 4, strike out lines 1, 2, 3, 4, 5, and make the section read, down to line 6, as follows, viz.: "Any company or corporation violating the provisions of this act shall be deemed guilty of a misdemeanor and on conviction thereof shall be liable to punishment in the." Line 7, strike out all after the word "case" and insert the words "which may." Line 9, strike out the word "their" and insert in lieu thereof the word "the," and after the word "property" insert "of such company or corporation."

H. S. OLIVER,
Chairman.

Mr. Speaker announced his signature to
Senate Bill No. 113,

A bill for an act to reimburse the county of Pembina for expenses incurred in the small pox quarantine of August, 1892.

Also,

Senate Bill No. 12,

A bill for an act to amend section 2, chapter 123, Session Laws of 1891, entitled "An act to amend section 2, chapter 161 of Session Laws of 1890," entitled "An act to create an institute for the education of the deaf and dumb of North Dakota and providing for its support and management."

Also,

Senate Bill No. 19,

A bill for an act to change the boundaries of the counties of Stark and Mercer.

Also,

Senate Bill No. 20,

A bill for an act making appropriation for maintenance of State University.

Also,

Senate Bill No. 21,

A bill for an act providing for an appropriation for the erection of additional buildings and for the payment of the contingent expenses of the North Dakota Agricultural College at Fargo.

Also,

Senate Bill No. 25,

A bill for an act for an appropriation for the erection of the North Dakota Reform School and for incidental and contingent expenses for the same.

Also,

Senate Bill No. 26,

A bill for an act to amend sections 2, 3, 4, 5 and 6 of chapter 81, Laws of 1890, relating to the boundaries and subdivisions of the First Judicial District, and fixing the terms of court to be held therein.

Also,

Senate Bill No. 36,

A bill for an act providing for an appropriation for the current and contingent expenses, furnishing and maintenance and for making needed permanent improvements for the Soldiers' Home at Lisbon.

Also,

Senate Bill No. 40,

A bill for an act to provide for the management of the State Normal School at Mayville, N. D.

Also,

Senate Bill No. 44,

A bill for an act forbidding the use of telegraph or telephone lines for certain purposes, and providing a penalty therefor.

Also,

Senate Bill No. 50,

A bill for an act providing for an appropriation for the maintenance and for making the needed permanent improvements of the State Normal School at Valley City, N. D.

Also,

Senate Bill No. 54,

A bill for an act providing for an appropriation of money for the completion of the building for the school for the deaf and dumb and for contingent expenses thereto.

Also,

Senate Bill No. 55,

A bill for an act providing for the maintenance and for current and contingent expenses of the School for the Deaf and Dumb.

Also,

Senate Bill No. 62,

A bill for an act appropriating money from the State Treasury not otherwise appropriated to recompense the county auditor of the county of Ward for services in making out and extending the tax lists and making abstracts of the same, and in doing and performing all the other acts that the law provides that he shall do and perform in the assessment and collection of the State tax in the unorganized counties of Buford, Montraille, Flannery and Renville in the years 1890, 1891 and 1892.

Also,

Senate Bill No. 72,

A bill for an act to amend chapter 24 of the Laws of 1890 by inserting therein section 6 and amending its title.

Also,

Senate Bill No. 77,

A bill for an act for an appropriation for the current and contingent expenses of the Hospital for the Insane at Jamestown.

Also,

Senate Bill No. 85,

A bill for an act appropriating money from the State Treasury not otherwise appropriated to recompense the county auditor of Stark county for services in making out and extending the tax lists and making abstracts of the same, and in doing and performing all the other acts that the law provides that he shall do and perform in the assessment and collection of State tax in the unorganized counties of Dunn, McKenzie, Wallace, Allred and Hettinger in the years 1891 and 1892.

Mr. Oliver moved

To adopt the report of the Committee on House Bill No. 220,
Which motion prevailed.

The Special Committee on Banks made the following report:

MR. SPEAKER:

Your special committee to whom was referred
House Bill No. 220,

A bill for an act to require the school district treasurers to deposit district funds in designated depositories,

Have had the same under consideration and recommend that the same be amended as follows:

1. By striking out all of section 1 after the word "provided" in line 5, as per printed bill.

2. By striking out all of section 2 and inserting in lieu thereof the following:

SEC. 2 It shall be the duty of the directors of each and every school district of each and every county in this State, at its first regular meeting, in June, 1894, and at its first regular meeting in June of each second year thereafter, to designate one or more national or State banks in their respective counties as county depositories, in which all the funds of said district shall be deposited.

3. By striking out all of section 3 and inserting in lieu thereof the following:

SEC. 3. The clerk of the school board of each district shall advertise in one or more newspapers published in the county, for at least two weeks immediately prior to said above mentioned meetings, for sealed proposals for the deposit of the funds of said district, in accordance with this act. Said advertisement shall state the date until which proposals will be received, which date shall be the first day of the meeting at which the proposals are to be opened. Said proposals shall state in writing what rate of interest will be paid on daily balances on deposit, interest to be paid monthly, on condition that said funds, with accrued interest, shall be held subject to draft at all times on demand. Said proposals shall be inclosed in sealed envelopes, addressed to the clerk of the school board and marked "Proposals for Deposit of School District Funds," and shall be by the county auditor filed in his office.

4. By striking out all of section 4 and inserting in lieu thereof the following:

SEC. 4. At the above mentioned meeting of said board of directors said proposals shall be presented by the clerk, and then, and not until then, opened by him in the presence of said board, which shall proceed to consider them, accepting the proposal of the bank or banks offering the highest rate of interest not inconsistent with this act, subject to the filing of a satisfactory bond, as hereinafter provided, the amount of which bond shall then and there be fixed by said board. Before any bank shall be designated as such depository it shall submit to the board of directors for their approval a bond payable to such county, conditioned on the safe keeping and repayment of any county funds deposited in said bank, which bond shall be signed by not less than five freeholders of the county in which said funds are deposited, as sureties, and shall be in such sum as the board shall have directed, but in no case to be less than double the probable amount of funds to be deposited in such bank. If at any time the amount of funds on deposit in any of said depositories shall exceed one-half the amount named in said bond, it shall be the duty of said board, at its next regular meeting thereafter, to require from said depository an additional bond in a sum not less than twice the amount of said excess. Said bond or bonds shall be approved by said board and said

approval be indorsed thereon in writing by the president of said board, and by him deposited with the clerk, and any bank whose bond shall have been approved shall be thereupon designated by said board as a district depository and shall continue as such depository until such time as said board shall re-advertise and redesignate in pursuance with this act. *Provided*, That if the board of directors fail or refuse to approve any such bond, the same proceedings may be had as provided in section 8, chapter 5, Political Code.

5. By inserting the following as section 5:

SEC. 5. Each depository designated under the provisions of this act shall furnish to the clerk of the school board an itemized statement of the district's account with such depository on the first day of each month, duly verified by said bank, which statement shall be filed and carefully preserved in the office of said clerk. All sums of interest accruing on the funds deposited in any depository under the provisions of this act shall be credited to such deposit account on the first day of each month for the month previous thereto, and a statement of such interest shall be rendered by such depository to the clerk of the school board on the first day of each month, and the clerk shall charge the treasurer with the amount thereof and credit the same to the district.

And when so amended recommend that the same do pass.

H. S. OLIVER,
Chairman.

House Bill No. 203,

A bill for an act to provide for the ascertaining and giving notice of the title of the lands of the heirs of deceased persons,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 52, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hurley,	Oliver,
Bentley,	James,	Pierce,
Bullard,	Johnson of Sargent,	Plain,
Burkhardt,	Johnson of G'd Forks,	Sanford,
Caldwell,	Johnston,	Satterlund,
Churchill,	Kelly,	Simpson,
Cochrane,	Larson,	Strom,
Davis,	Lee,	Thexton,
Deans,	Levang,	Thompson,
Ebbighausen,	Logan,	Towers,
Elliott,	Lohnes,	Ueland,
Hagen,	McCanna,	Veeder,
Hall,	McCulloch,	Wineman,
Halvorson,	McLean,	Wishek,
Haugen,	Newman,	Wright,
Havrevold,	O'Keefe,	Yegen,
Hodgson,	Oksendahl,	Mr. Speaker.
Horgan,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Rinde,	Southard,
Hallum,	Ritter,	Tufts,
McArthur,	Severson,	Wallen.

Messrs. Ritter, Severson and Wallen being excused.

So the bill passed and the title was agreed to.

House Bill No. 61,

A bill for an act to amend section 3 of the Civil Code of 1877,
Was read the third time and placed upon its final passage.

Mr. Newman asked unanimous consent to amend the bill by striking out the words "customary or" in line 8 of printed bill,
Which consent was granted and the bill was so amended.

The question being upon the final passage of the bill as amended.

The roll being called there were ayes 51, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Havrevold,	O'Keefe,
Bentley,	Hodgson,	Oksendahl,
Boynton,	Horgan,	Oliver,
Bullard,	Hurley,	Pierce,
Burkhardt,	James,	Satterlund,
Caldwell,	Johnson of Sargent,	Simpson,
Churchill,	Johnson of G'd Forks,	Strom,
Cochrane,	Johnston,	Thexton,
Davis,	Kelly,	Thompson,
Deans,	Larson,	Towers,
Ebbighausen,	Levang,	Tufts,
Elliott,	Logan,	Ueland,
Hagen,	Lohnes,	Veeder,
Hall,	McCanna,	Wineman,
Hallum,	McCulloch,	Wishek,
Halvorson,	McLean,	Yegen,
Haugen,	Newman,	Mr. Speaker.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Holliday,	Rinde,	Southard,
Lee,	Ritter,	Wallen,
McArthur,	Sanford,	Wright.
Plain,	Severson,	

Messrs. Ritter, Severson and Wallen being excused.

So the bill as amended passed and the title was agreed to.

House Bill No. 165,

A bill for an act to establish a weather and crop service, the collection and dissemination of crop statistics and meteorological data,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 32, nays 19.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Halvorson,	Oksendahl,
Bentley,	Havrevold,	Oliver,
Bullard,	Hurley,	Satterlund,
Caldwell,	Johnson of Sargent,	Simpson,
Cochrane,	Johnson of G'd Forks,	Thexton,
Davis,	Johnston,	Tufts,
Deans,	Larson,	Ueland,
Ebbighausen,	Logan,	Veeder,
Elliott,	McCanna,	Wishek.
Hagen,	Newman,	Yegen.
Hall,	O'Keefe,	

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Boynton,	James,	Pierce,
Burkhardt,	Kelly,	Plain,
Churchill,	Lee,	Sanford,
Hallum,	Lohnes,	Thompson,
Haugen,	McCulloch,	Wright,
Hodgson,	McLean,	Mr. Speaker.
Holliday,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Horgan,	Ritter,	Towers,
Levang,	Severson,	Wallen,
McArthur,	Southard,	Wineman.
Rinde,	Strom,	

Messrs. Ritter, Severson and Wallen being excused.

So the bill passed and the title was agreed to.

Mr. Bentley moved

That the vote by which House Bill No. 165 passed be reconsidered, and the motion to reconsider be laid upon the table,
Which motion prevailed.

House Bill No. 176,

A bill for an act to allow aliens to acquire real estate and any interest therein in the State of North Dakota upon which a lien, loan of money or other debt is or may be secured, and to dispose of the same, and to repeal all laws and parts of laws in conflict with this act,

Was read the third time and placed upon its final passage.

Mr. McCanna asked unanimous consent to amend House Bill No. 176 by striking out section 3,

Which consent was granted and the bill was so amended.

The question being upon the final passage of the bill as amended.

The roll being called there were ayes 18, nays 29.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Holliday,	Pierce,
Burkhardt,	Hurley,	Simpson,
Churchill,	Larson,	Thexton,
Cochrane,	McCanna,	Tufts,
Davis,	Newman,	Wineman,
Deans,	Oliver,	Yegen.

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Bentley,	James,	Plain,
Boynton,	Johnson of Sargent,	Sanford,
Bullard,	Johnson of G'd Forks,	Satterlund,
Caldwell,	Johnston,	Strom,
Hagen,	Kelly,	Thompson,
Hall,	Lohnes,	Ueland,
Hallum,	McCulloch,	Veeder,
Haugen,	McLean,	Wright,
Havrevold,	O'Keefe, *	Mr. Speaker.
Hodgson,	Oksendahl,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Ebbighausen,	Levang,	Severson,
Elliott,	Logan,	Southard,
Halvorson,	McArthur,	Towers,
Horgan,	Rinde,	Wallen,
Lee,	Ritter,	Wishek.

Messrs. Ritter, Severson and Wallen being excused.

So the bill was lost.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, February 27, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith
Senate Bill No. 153,

A bill for an act to legalize county seat elections and removals
where any defect may exist in the calling of the same.

Also,
Substitute for Senate Bill No. 76,

A bill for an act to provide for erection of necessary additional
buildings for the Hospital for Insane at Jamestown, North Da-
kota.

Also,
Substitute for Senate Bill No. 102,

A bill for an act to promote the improvement and growth of
the Volunteer Firemen's Association of the State of North
Dakota, to increase its usefulness and efficiency, and making an
appropriation therefor.

Also,
Senate Bill No. 138,

A bill for an act to amend section 44 of chapter 132 of the Session Laws of 1890, being an act entitled "An act prescribing the mode of making assessments and the levy and collection of taxes and for the purposes relative thereto."

Also,
Senate Bill No. 164,

Concurrent Resolution to amend subdivision 8 of section 215 of article 19 of the Constitution of the State of North Dakota,

Which the Senate has passed, and your favorable consideration thereof is respectfully requested.

Respectfully,
FRED FALLEY,
Secretary.

The Committee on Engrossed Bills made the following report:

MR. SPEAKER:

Your Committee on Engrossed Bills have examined
House Bill No. 193,

A bill for an act to amend an act passed at the second session of the Legislative Assembly of the State of North Dakota, approved March 7, 1891, and entitled "An act to regulate the fees of clerks of the district courts of the State of North Dakota."

Also,
House Bill No. 183,

A bill for an act providing for the annual expenses of the Board of University and School Lands and for the expenses of selecting and acquiring title to State institution lands.

Also,
House Bill No. 179,

A bill for an act entitled "An act to reimburse certain persons for labor performed and for other purposes."

Also,
House Bill No. 100,

A bill for an act providing for the establishment of courts of conciliation, and prescribing the mode of procedure in same.

Also,
House Bill No. 185,

A bill for an act to appropriate twenty-five thousand dollars (\$25,000) for the building and erection of an industrial school building at Ellendale, in this State, and to maintain the school.

Also,
House Bill No. 232,

A bill for an act to amend an act entitled "An act to provide for taxation of real and personal property situated in unorganized counties."

Also,

House Bill No. 129,

A bill for an act to amend section 137, chapter 13, Laws of 1891.

Also,

House Bill No. 70,

A bill for an act to amend sections 478, 479, 484 and 485 of the Code of Civil Procedure of Dakota Territory, being sections 5292, 5293, 5298 and 5299 of the Compiled Laws, pertaining to taking, authenticating and excepting to depositions.

Also,

House Bill No. 12,

A bill to amend section 11 of chapter 126, Session Laws, 1891.

Also,

House Bill No. 151,

A bill for an act requiring the Board of Railroad Commissioners to ascertain the value of No. 1 hard wheat in Duluth or West Superior, based on the Liverpool market price, and providing for the publication thereof.

Also,

House Bill No. 89,

A bill for an act for an appropriation for new buildings for the Asylum for the Insane at Jamestown.

Also,

House Bill No. 165,

A bill for an act to establish a weather and crop service, the collection and dissemination of crop statistics and meteorological data.

Also,

House Bill No. 83,

A bill for an act governing the alteration of county boundaries.

Also,

House Bill No. 91,

A bill for an act to provide for the provisional remedy for garnishment in civil actions.

Also,

House Bill No. 226,

A bill for an act to repeal section 5 of chapter 128 of the General Laws of 1891, entitled "An act to provide for the collection, arrangement and display of the products of the State of North Dakota at the World's Columbian Exposition of 1893."

Also,

House Bill No. 167,

A bill for an act providing an appropriation to reimburse the State Board of Medical Examiners for per diem and mileage due them for services rendered as required by law.

Also,

House Bill No. 26,

A bill for an act to amend section 16 of chapter 78 of the General Laws of 1890, entitled "An act to amend section 16 of chapter 69 of the General Laws of 1885, and section 10, chapter 69 of the General laws of 1889, relating to the publication of insurance statements."

Also,

House Bill No. 144,

A bill for an act to amend subdivision 16 of sections 1 and 2 and subdivision 15 of sections 3 and 4 of chapter 86, Laws of 1890.

Also,

House Bill No. 97,

A bill for an act to provide for the payment of contingent expenses incurred by the Commissioner of Agriculture.

Also,

House Bill No. 114,

A bill for an act for the acquisition of land for township cemeteries.

Also,

House Bill No. 166,

A bill for an act naming a uniform title for the governing boards of the State educational institutions and designating certain ex-officio members of State boards,

And find the same correctly engrossed.

J. DEXTER PIERCE,
Chairman.

The Committee on Enrolled Bills made the following report:

MR. SPEAKER:

Your Committee on Enrolled Bills have examined

House Bill No. 72,

A bill for an act to amend subdivision 5 of section 25 of chapter 120 of the Laws of 1891, regulating appeals from the district court to the Supreme Court.

Also,

House Bill No. 13,

A bill for an act prescribing the qualifications of deputies, clerks and employes of the State, county and municipal governments of and within the State of North Dakota.

Also,

House Bill No. 101,

A bill for an act entitled "An act fixing the manner of transferring interest in real estate by corporations,"

Were at the hour of 11:35 a. m. of this day delivered to his Excellency the Governor for his approval.

ARNE P. HAUGEN,
Chairman.

The courtesies of the floor were extended to Pres. Merrifield and John Russell.

House Bill No. 224,

A bill for an act providing for the compilation, revision and codification of the Laws of North Dakota and the publication and distribution and sale thereof, and to repeal chapter 82 of the Laws of 1891, in relation thereto,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 44, nays 1.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Havrevold,	Plain,
Bentley,	Hodgson,	Sanford,
Bullard,	Hurley,	Satterlund,
Burkhardt,	James,	Simpson,
Caldwell,	Johnson of Sargent,	Strom,
Churchill,	Johnson of G'd Forks,	Thexton,
Cochrane,	Kelly,	Tufts,
Davis,	Larson,	Ueland,
Deans,	Lee,	Veeder.
Ebbighausen,	McCanna,	Wineman,
Elliott,	McCulloch,	Wishek,
Hagen,	McLean,	Wright,
Hall,	Newman,	Yegen,
Halvorson,	O'Keefe,	Mr. Speaker.
Haugen,	Pierce,	

Mr. Horgan voting in the negative.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Lohnes,	Severson,
Hallum,	McArthur,	Southard,
Holliday,	Oksendahl,	Thompson,
Johnston,	Oliver,	Towers,
Levang,	Rinde,	Wallen.
Logan,	Ritter,	

Messrs. Ritter, Severson and Wallen being excused.

So the bill passed and the title was agreed to.

Mr. Wineman moved

That the vote by which House Bill No. 224 passed be reconsidered and that the motion to reconsider be laid upon the table,

Which motion prevailed.

Mr. Speaker announced an informal recess.

House reassembled.

Mr. Wineman moved

That the vote by which all House bills passed this day be reconsidered and that the motion to reconsider be laid upon the table, Which motion prevailed.

House Bill No. 107.

A bill for an act to amend sections 3, 4, 6 and 7 of chapter 68 of the Laws of 1885, being sections 236, 237, 239 and 240 of the Compiled Laws,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 48, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Horgan,	Pierce,
Bentley,	Hurley,	Plain,
Boynton,	James,	Sanford,
Bullard,	Johnson of G'd Forks,	Satterlund,
Burkhardt,	Johnston,	Simpson,
Churchill,	Kelly,	Strom,
Cochrane,	Larson,	Thexton,
Davis,	Logan,	Thompson,
Deans,	Lohnes,	Tufts,
Ebbighausen,	McCanna,	Ueland,
Elliott,	McCulloch,	Veeder,
Hall,	McLean,	Wineman,
Hallum,	Newman,	Wishek,
Halvorson,	O'Keefe,	Wright,
Hodgson,	Oksendahl,	Yegen,
Holliday,	Oliver,	Mr. Speaker.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Caldwell,	Lee,	Severson,
Hagen,	Levang,	Southard,
Haugen,	McArthur,	Towers,
Havrevold,	Rinde,	Wallen,
Johnson of Sargent,	Ritter.	

Messrs. Ritter, Severson and Wallen being excused.

So the bill passed and the title was agreed to.

Mr. Wineman asked unanimous consent to put House Bill No. 217 at the first of the list for third reading and final passage, Which consent was granted.

The Committee on Engrossed Bills made the following report:

MR. SPEAKER:

Your Committee on Engrossed Bills have examined House Bill No. 187,

A bill for an act repealing chapter 20 of the Laws of 1885.

Also,

House Bill No. 173,

A bill for an act to amend section 77 of the Civil Code, being section 2588 of the Compiled Laws, relating to husband and wife.

Also,

House Bill No. 68,

A bill for an act to amend section 74 of chapter 132 of the Laws of 1890.

Also,

House Bill No. 34,

A bill for an act to encourage the development of the coal mines of the State, and to determine the kind of coal that shall be used in the various State institutions, county buildings and public schools of the State.

Also,

House Bill No. 108,

A bill for an act to provide for the collection of vital statistics.

Also,

House Bill No. 100,

A bill for an act providing for the establishment of courts of conciliation, and prescribing the mode of procedure in same.

Also,

House Bill No. 64,

A bill for an act to amend chapter 128 of the Laws of 1889.

Also,

House Bill No. 172,

A bill for an act to amend section 1 of an act entitled "An act to amend sections 1, 2 and 3 of chapter 63 of the General Laws of 1881, relating to sheep husbandry."

Also,

House Bill No. 216,

A bill for an act providing for the separation and organization of fractional townships when connected with civil township organization with full congressional townships.

Also,

House Bill No. 228,

A bill for an act to prevent property from escaping taxation through technical defects.

Also,

House Bill No. 201,

A bill for an act providing for a State bounty for the destruction of wolves.

Also,

House Bill No. 246,

A bill for an act authorizing the refunding of outstanding city bonds and warrants.

Also,

House Bill No. 243,

A bill for an act to amend section 3 of chapter 91 of the Session Laws of 1891, for the purpose of including all lands in its provisions and requiring a judgment to be obtained to make the expense a tax on the land.

Also,

House Bill No. 239,

A bill for an act to amend section 79 of chapter 132 of the Laws of 1890, being an act entitled "An act prescribing the mode of making assessment and the levy and collection of taxes and for other purposes relative thereto."

Also,

House Bill No. 209,

A bill for an act to repeal chapter 36 of the Session Laws of 1890, being an act to encourage the manufacture of potato starch in the State of North Dakota.

Also,

House Bill No. 233,

A bill for an act to amend section 91 of chapter 132 of the Laws of 1890, being an act entitled "An act prescribing the mode of making assessment and the levy and collection of taxes and for other purposes relating thereto."

Also,

House Bill No. 174,

A bill for an act fixing the maximum rates that railroad companies may charge for the transportation of coal mined within the State of North Dakota.

Also,

House Bill No. 222,

A bill for an act to amend section 78 of chapter 132 of the Laws of 1890.

Also,

House Bill No. 244,

A bill for an act to amend section 2 of chapter 169 of the Laws of 1890, entitled "An act fixing the times and places of holding general and special terms of the Supreme Court of the State of North Dakota and providing for the expenses incident thereto."

Also,

House Bill No. 242,

A bill for an act to amend section 55 of chapter 132 of the Laws of 1890.

Also,

House Bill No. 245,

A bill for an act entitled "An act requiring counties to pay the

expenses of conveying patients to the Hospital for the Insane at Jamestown and prisoners to the Penitentiary at Bismarck."

Also,

House Bill No. 102,

A bill for an act to provide free and uniform text books throughout the several counties of the state.

And find the same correctly engrossed.

J. DEXTER PIERCE,
Chairman.

House Bill No. 166.

A bill for an act naming a uniform title for the governing boards of the State educational institutions and designating certain ex-officio members of State boards,

Was read the third time and placed upon its final passage.

Mr. Deans asked unanimous consent to amend section 2 of House Bill No. 166 as follows: "But shall have no vote as member of such board."

The roll being called there were ayes 48, nays none.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Holliday,	Oliver,
Bentley,	Hurley,	Pierce,
Bullard,	James,	Plain,
Burkhardt,	Johnson of Sargent,	Satterlund,
Caldwell,	Johnson of G'd Forks,	Simpson,
Churchill,	Johnston,	Strom,
Cochrane,	Kelly,	Thexton.
Davis,	Larson,	Thompson,
Deans,	Lee,	Tufts,
Ebbighausen,	Logan,	Ueland,
Elliott,	Lohnes,	Veeder,
Hall,	McCulloch,	Wineman,
Hallum,	McLean,	Wishek,
Halvorson,	Newman,	Wright,
Haugen,	O'Keefe,	Yegen,
Hodgson,	Oksendahl,	Mr. Speaker.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	McArthur,	Severson,
Hagen,	McCanna,	Southard,
Havrevold,	Rinde,	Towers,
Horgan,	Ritter,	Wallen.
Levang,	Sanford,	

Messrs. Ritter, Severson and Wallen being excused.

So the bill as amended passed and the title was agreed to.

Mr. Speaker announced his signature to

Senate Bill No. 48,

A bill for an act fixing the minimum time for which offenders may be committed to the penitentiary.

House Bill No. 167,

A bill for an act providing an appropriation to reimburse the State Board of Medical Examiners for per diem and mileage due them for services rendered as required by law,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 43, nays 1.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Horgan,	Oskendahl,
Boynton,	Hurley,	Oliver,
Bullard,	Johnson of Sargent,	Pierce,
Burkhardt,	Johnson of G'd Forks	Sanford,
Churchill,	Johnston,	Satterlund,
Cochrane,	Kelly,	Simpson,
Davis,	Larson,	Strom,
Deans,	Lee,	Thexton,
Ebbighausen,	Logan,	Tufts,
Elliott,	Lohnes,	Ueland.
Hagen,	McCanna,	Wineman,
Halvorson,	McCulloch,	Wright,
Haugen,	McLean,	Yegen,
Hodgson,	Newman,	Mr. Speaker.
Holliday,		

Mr. Hallum voting in the negative.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	McArthur,	Southard,
Caldwell,	O'Keefe,	Thompson,
Hall,	Plain,	Towers,
Havrevold,	Rinde,	Veeder,
James,	Ritter,	Wallen,
Levang,	Severson,	Wishek.

Messrs. Ritter, Severson and Wallen being excused.

So the bill passed and the title was agreed to.

House Bill No. 185,

A bill for an act to appropriate twenty-five thousand dollars (\$25,000) for the building and erection of an industrial school building at Ellendale, in this State, and to maintain the school,

Was placed upon its final passage.

Mr. Haugen moved

That the further consideration of House Bill No. 185 be indefinitely postponed,

Which motion prevailed.

House Bill No. 179,

A bill for an act entitled "An act to reimburse certain persons for labor performed and for other purposes,"

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 38, nays 6.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hurley,	Pierce,
Bentley,	James,	Sanford,
Bullard,	Johnson of Sargent,	Satterlund,
Burkhardt,	Johnson of G'd Forks,	Simpson,
Churchill,	Johnston,	Strom,
Cochrane,	Kelly,	Thexton,
Davis,	Larson,	Tufts,
Deans,	Lee,	Ueland,
Ebbighausen,	Logan,	Wishek,
Halvorson,	McLean,	Wright,
Haugen,	Newman,	Yegen,
Hodgson,	O'Keefe,	Mr. Speaker.
Horgan,	Oksendahl,	

Those voting in the negative were:

Messrs—	Messrs—	Messrs—
Caldwell,	Hagen,	McCanna,
Elliott,	Holliday,	McCulloch.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	McArthur,	Southard,
Hall,	Oliver,	Thompson.
Hallum,	Plain,	Towers,
Havrevold,	Rinde,	Veeder,
Levang,	Ritter.	Wallen,
Lohnes,	Severson,	Wineman.

Messrs. Ritter, Severson and Wallen being excused.

So the bill passed and the title was agreed to.

Mr. Towers, by unanimous consent, presented the following report:

MR. SPEAKER:

Your Special Committee, to whom was referred

* House Bill No. 212,

A bill for an act to amend section 2 of chapter 107 of the Session Laws of 1890, entitled "An act to provide for the inspection of illuminating oils manufactured from petroleum or coal oils, for the purpose of raising the tests of oils,"

Have had the same under consideration and recommend that the same be amended as follows:

Strike out all after the enacting clause and insert the following:

SECTION 1. That section 2, chapter 107 of the Laws of 1890 be so amended as to read as follows:

§ 2. OILS—HOW INSPECTED.] It shall be the duty of said State Inspector of Oils to examine and test, as provided by this act, the quality of all mineral or petroleum oil or any oil, fluid or substance which is a product of petroleum or into which petroleum enters or is found as a constituent element, whether manufactured in the State or not, before the same is offered for sale or sold for illuminating purposes within the State; and such inspection shall be con-

ducted as herein provided, in the following manner: The test shall be made in the "Tagliabue open cup tester" or "Commercial tester" and in using the tester the oil shall not be heated after it has attained the temperature of one hundred degrees Fahrenheit faster than at the rate of three degrees a minute and the flame of the lamp shall be so adjusted as that the rise in temperature shall be as near to two degrees per minute as practicable, and the taper used in making the test shall be such as shall give a clean flame as nearly uniform in size as is practicable and the State Inspector shall give such instructions as in his judgment shall be necessary to secure uniformity in the methods of making the tests and it shall be unlawful to use or sell any illuminating oil which, on the application of a well lighted taper, or similar flame, will take fire and burn at a temperature below that of 120 degrees above the zero point of Fahrenheit's thermometer, as shown by said apparatus, or which for any reason whatever shall not remain clear and transparent upon being cooled to a temperature equal to that of twenty degrees above the zero point of Fahrenheit's thermometer, or which shall deposit any solid particles of paraffine when cooled as aforesaid, and the cask, barrel or other package containing the same shall be marked "rejected," and said brands or devices as are hereinafter mentioned for approval or rejection of oils shall further contain the words "Fire test" followed by numerals stating the temperature at which said oils will burn upon application of the tests prescribed in this act, provided that the inspector may use for this purpose numerals that only are divisible by ten.

Amend section 10 of said chapter by striking out the figures 100 and inserting in lieu thereof 120.

And when so amended recommend that the same do pass.

G. W. TOWERS,
Chairman.

Mr. Haugen moved
That the report be adopted,
Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, February 27, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith
Senate Bill No. 146,

A bill for an act to amend section 95 of the Code of Criminal Procedure, being section 7120 of the Compiled Laws.

Also,
Senate Bill No. 134,

A bill for an act prescribing the form of certificate to be attached to school bonds and defining the duties of county auditors in relation thereto.

Also,
Senate Bill No. 126,

A bill for an act to amend section 77 of the Justice Code, being section 6117 of the Compiled Laws of 1887, relating to the sale of personal property on execution from justice court.

Also,
Senate Bill No. 154,

A bill for an act to repeal sections 5 and 6 of chapter 126 of the Session Laws of 1890, being an act entitled "An act to provide for the transfer of freight at railroad crossings and the maintenance of depots at the same."

Also,
Senate Bill No. 158,

A bill for an act entitled "An act granting the right of suffrage to women,"

Which has passed the Senate and your favorable consideration thereof is respectfully requested.

Respectfully,
FRED FALLEY,
Secretary.

The Committee on Engrossed Bills made the following report:

MR. SPEAKER:

Your Committee on Engrossed Bills have examined
House Bill No. 252,

A bill for an act to provide for the better improvement of public highways,

And find the same correctly engrossed.

J. DEXTER PIERCE,
Chairman.

House Bill No. 232,

A bill for an act to amend an act entitled "An act to provide for taxation of real and personal property situated in unorganized counties,"

Was read the third time and placed upon its final passage.

Mr. Simpson asked unanimous consent to amend House Bill No. 232 by inserting the emergency clause,

Which consent was granted,

And the following emergency clause was inserted: "Whereas an emergency exists in this that an assessment will be made prior to July 1, 1893; therefore this act shall take effect and be in force from and after its passage and approval.

The question being upon the final passage of the bill as amended.

The roll being called there were ayes 53, nays none.

Those who voted in the affirmative were:

Messrs—

Benedict,
Bentley,
Boynton,
Bullard,
Burkhardt,
Caldwell,

Messrs—

Holliday,
Horgan,
Hurley,
James,
Johnson of Sargent,
Johnson of G'd Forks,

Messrs—

Pierce,
Plain,
Sanford,
Satterlund,
Simpson,
Strom,

Messrs—	Messrs—	Messrs—
Churchill,	Johnston,	Thexton,
Cochrane,	Kelly,	Thompson,
Davis,	Larson,	Towers,
Deans,	Lee,	Tufts,
Ebbighausen,	Logan,	Ueland,
Elliott,	Lohnes,	Veeder,
Hagen,	McCanna,	Wineman,
Hall,	McCulloch,	Wishek,
Hallum,	McLean,	Wright,
Halvorson,	Newman,	Yegen,
Haugen,	O'Keefe,	Mr. Speaker.
Hodgson,	Oskendahl,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Havrevold,	Oliver,	Severson,
Levang,	Rinde,	Southard,
McArthur,	Ritter	Wallen.

Messrs. Ritter, Severson and Wallen being excused.

So the bill as amended passed and the title was agreed to.

House Bill No. 183,

A bill for an act providing for the annual expenses of the Board of University and School Lands and for the expenses of selecting and acquiring title to State institution lands,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 49, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Holliday,	Pierce,
Bentley,	Horgan,	Plain,
Boynton,	Hurley,	Sanford,
Bullard,	James,	Satterlund,
Burkhardt,	Johnson of Sargent,	Simpson,
Caldwell,	Johnson of G'd Forks,	Strom,
Churchill,	Johnston,	Thexton,
Cochrane,	Larson,	Towers,
Davis,	Lee,	Tufts,
Deans,	Logan,	Ueland,
Ebbighausen,	Lohnes,	Veeder,
Elliott,	McCanna,	Wineman,
Hagen,	McCulloch,	Wishek,
Hall,	McLean,	Wright,
Halvorson,	Newman,	Yegen,
Haugen,	O'Keefe,	Mr. Speaker.
Hodgson,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Hallum,	Oksendahl,	Severson,
Havrevold,	Oliver,	Southard,
Kelly,	Rinde,	Thompson,
Levang,	Ritter,	Wallen.
McArthur,		

Messrs. Ritter, Severson and Wallen being excused.

So the bill passed and the title was agreed to.

House Bill No. 252,

A bill for an act to provide for the better improvement of public highways,

Was read the third time and placed upon its final passage.

Mr. Wineman asked unanimous consent to amend House Bill No. 252 by striking out the word "shall" in section 1 of said bill and insert the word "may" in said section,

Which consent was granted, and the bill was so amended.

Mr. Speaker called Mr. Wineman to the chair.

Mr. McCulloch moved

That the further consideration of House Bill No. 252 be indefinitely postponed.

Mr. Hallum moved

To lay the motion to indefinitely postpone upon the table,

Which motion prevailed.

The question being upon the final passage of the bill as amended.

The roll being called there were ayes 33, nays 21.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Boynton,	Hodgson,	Sanford,
Burkhardt,	Hurley,	Satterlund,
Caldwell,	Larson,	Simpson,
Cochrane,	Lee,	Strom,
Davis,	Lohnes,	Tufts,
Deans,	McCanna,	Ueland,
Ebbighausen,	McLean,	Veeder,
Elliott,	Newman,	Wineman,
Hall,	O'Keefe,	Wishek,
Halvorson,	Oksendahl,	Yegen,
Haugen,	Oliver,	Mr. Speaker.

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Benedict,	Horgan,	McCulloch,
Bentley,	James,	Pierce,
Bullard,	Johnson of Sargent,	Plain,
Churchill,	Johnson of G'd Forks,	Thexton,
Hagen,	Johnston,	Thompson,
Hallum,	Kelly,	Towers,
Holliday,	Logan,	Wright.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Havrevold,	Rinde,	Southard,
Levang,	Ritter,	Wallen.
McArthur,	Severson,	

Messrs. Ritter, Severson and Wallen being excused.

So the bill passed as amended and the title was agreed to.

Mr. Wineman moved

That the vote by which House Bills Nos. 142 and 148 were lost be reconsidered.

Which motion prevailed.

House Bill No. 142,

A Concurrent Resolution for an amendment to the Constitution providing for a Referendum,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 31, nays 21.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Halvorson,	Simpson,
Bentley,	Hodgson,	Strom,
Boynton,	Hurley,	Thompson,
Bullard,	Johnson of Sargent,	Ueland,
Burkhardt,	Lee,	Veeder,
Caldwell,	Logan,	Wineman,
Cochrane,	Lohnes,	Wishek,
Elliott,	McCanna,	Wright,
Hagen,	McCulloch,	Yegen,
Hall,	Oksendahl,	Mr. Speaker.
Hallum,	Sanford,	

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Churchill,	James,	O'Keefe,
Davis,	Johnson of G'd Forks,	Oliver,
Deans,	Johnston,	Pierce,
Ebbighausen,	Kelly,	Plain,
Haugen,	Larson,	Satterlund,
Holliday,	McLean,	Thexton.
Horgan,	Newman,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Havrevold,	Ritter,	Towers,
Levang,	Severson,	Tufts,
McArthur,	Southard,	Wallen.
Rinde,		

Messrs. Ritter, Severson and Wallen being excused.

So the bill passed and the title was agreed to.

House Bill No. 148,

A Concurrent Resolution for an amendment to the Constitution in regard to the Initiative,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 26, nays 22.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Halvorson,	Thompson,
Bentley,	Hodgson,	Ueland,
Burkhardt,	Johnson of Sargent,	Veeder,
Caldwell,	Lee,	Wineman,
Cochrane,	Logan,	Wishek,
Elliott,	McCanna,	Wright,
Hagen,	McCulloch,	Yegen,
Hall,	Simpson,	Mr. Speaker.
Hallum,	Strom,	

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Bullard,	Hurley,	McLean,
Churchill,	James,	Newman,
Davis,	Johnson of G'd Forks,	O'Keefe,
Deans,	Johnston,	Oliver,
Ebbighausen,	Kelly,	Pierce,
Haugen,	Larson,	Plain,
Holliday,	Lohnes,	Satterlund.
Horgan,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Rinde,	Thexton,
Havrevold,	Ritter,	Towers,
Levang,	Sanford,	Tufts,
McArthur,	Severson,	Wallen.
Oksendahl,	Southard,	

Messrs. Ritter, Severson and Wallen being excused.

So the bill was lost.

House Bill No. 246,

A bill for an act authorizing the refunding of outstanding city bonds and warrants,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 49, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Horgan,	Pierce,
Bentley,	Hurley,	Plain,
Boynton,	James,	Sanford,
Bullard,	Johnson of Sargent,	Satterlund,
Burkhardt,	Johnson of G'd Forks,	Simpson,
Caldwell,	Johnston,	Strom,
Churchill,	Kelly,	Thexton,
Cochrane,	Lee,	Thompson,
Davis,	Logan,	Towers,
Deans,	Lohnes,	Tufts,
Ebbighausen,	McCanna,	Ueland,
Elliott,	McLean,	Veeder,
Hagen,	Newman,	Wineman,
Hallum,	O'Keefe,	Wishek,
Halvorson,	Oksendahl,	Wright,
Haugen,	Oliver,	Yegen.
Hodgson,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Hall,	McArthur,	Severson,
Havrevold,	McCulloch,	Southard,
Holliday,	Rinde,	Wallen,
Larson,	Ritter,	Mr. Speaker.
Levang,		

Messrs. Ritter, Severson and Wallen being excused.

So the bill passed and the title was agreed to.

Mr. Oliver moved

That when the House adjourns it adjourn to meet at 7:30 o'clock this evening,

Which motion prevailed.

House Bill No. 89,

A bill for an act for an appropriation for new buildings for the Asylum for the Insane at Jamestown,

Was read the third time and placed upon its final passage.

Mr. Bentley moved

That the further consideration of House Bill No. 89 be indefinitely postponed,

Which motion prevailed.

Mr. Elliott moved

That the rules be suspended and that House Bill No. 212 be now read the third time and placed upon its final passage,

Which motion was lost.

House Bill No. 174,

A bill for an act fixing the maximum rates that railroad companies may charge for the transportation of coal mined within the State of North Dakota,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

Mr. Simpson moved

That the rules be suspended and House Bill No. 174 be referred to a special committee to report the bill back to the House this evening.

Mr. Oliver moved

That the bill be referred to a committee consisting of Messrs. Johnson of Grand Forks, Caldwell and Simpson,

Which motion prevailed.

House Bill No. 193,

A bill for an act to amend an act passed at the second session of the Legislative Assembly of the State of North Dakota, approved March 7, 1891, and entitled "An act to regulate the fees of clerks of the district courts of the State of North Dakota,"

Was read the third time.

Mr. Oliver moved

That the further consideration of House Bill No. 193 be indefinitely postponed,

Which motion prevailed.

House Bill No. 97,

A bill for an act to provide for the payment of contingent expenses incurred by the Commissioner of Agriculture,

Was read the third time and placed upon its final passage.

Mr. Bentley moved

That the further consideration of House Bill No. 97 be indefinitely postponed,

Which motion prevailed.

House Bill No. 129,

A bill for an act to amend section 137 of chapter 13 of the Laws of 1891,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 46, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Haugen,	O'Keefe,
Bentley,	Hodgson,	Oksendahl,
Boynton,	Horgan,	Oliver,
Bullard,	Hurley,	Pierce,
Burkhardt,	James,	Plain,
Caldwell,	Johnson of Sargent,	Sanford,
Churchill,	Johnson of G'd Forks,	Satterlund,
Cochrane,	Kelly,	Strom,
Davis,	Larson,	Thexton,
Deans,	Lee,	Tufts,
Ebbighausen,	Logan,	Ueland,
Elliott,	Lohnes,	Veeder,
Hagen,	McCulloch,	Wishek,
Hall,	McLean,	Wright,
Hallum,	Newman,	Yegen.
Halvorson,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Havrevold,	Rinde,	Thompson,
Holliday,	Ritter,	Towers,
Johnston,	Severson,	Wallen,
Levang,	Simpson,	Wineman,
McArthur,	Southard,	Mr. Speaker.
McCanna,		

Messrs. Ritter, Severson and Wallen being excused.

So the bill passed and the title was agreed to.

The Committee on Engrossed Bills made the following report:

MR. SPEAKER:

Your Committee on Engrossed Bills have examined
House Bill No. 241,

A bill for an act to provide for the establishing, constructing
and maintaining drains in this State.

And find the same correctly engrossed.

J. DEXTER PIERCE,
Chairman.

House Bill No. 26,

A bill for an an act to amend section 16 of chapter 78 of the
General Laws of 1890, entitled "An act to amend section 16 of
chapter 69 of the General Laws of 1885, and section 10, chapter 69
of the General Laws of 1889, relating to the publication of insur-
ance statements,"

Was read the third time and placed upon its final passage.

Mr. McLean asked unanimous consent to amend House Bill No.
26 by striking out all after the word "published" in line 35 of the
printed bill, section 16, up to and including the word "only,"

Which consent was granted.

The question being upon the final passage of the bill as amended.

The roll being called there were ayes 41, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hurley,	Sanford,
Bentley,	James,	Satterlund,
Bullard,	Johnson of G'd Forks,	Simpson,
Burkhardt,	Johnston,	Strom,
Churchill,	Kelly,	Thexton,
Cochrane,	Lee,	Towers,
Deans,	McCanna,	Tufts,
Elliott,	McLean,	Ueland,
Hagen,	Newman,	Veeder,
Hall,	O'Keefe,	Wineman,
Hallum,	Oksendahl,	Wishek,
Halvorson,	Oliver,	Wright,
Hodgson,	Pierce,	Yegen.
Horgan,	Plain.	

Absent and not voting:

Messrs—	Messrs--	Messrs—
Boynton,	Johnson of Sargent,	Rinde,
Caldwell,	Larson,	Ritter,
Davis,	Levang,	Severson,
Ebbighausen,	Logan,	Southard,
Haugen,	Lohnes,	Thompson,
Havrevold,	McArthur,	Wallen,
Holliday,	McCulloch,	Mr. Speaker.

Messrs. Ritter, Severson and Wallen being excused.

So the bill as amended passed and the title was agreed to.

Mr. Johnson of Sargent moved
That House Bill No. 81 be made a special order for 10 a. m. to-morrow,

Which motion prevailed,

Mr. Oliver moved

That the House do now take a recess until 7:30 o'clock p. m.,

Which motion prevailed,

And the House took a recess.

EVENING SESSION.

House reassembled at 7:30 o'clock p. m.

The Committee on Coal Lands and Mining made the following report:

MR. SPEAKER:

Your Committee on Coal Lands and Mining, to whom was referred

House Bill No. 34,

A bill for an act to encourage the coal mines of the State and to determine the kind of coal that shall be used in the various State institutions, county buildings and public schools of the State,

Have had the same under consideration and recommend that the same be amended as follows:

By striking out all of the enacting clause and inserting the following attached amendments:

SECTION 1. That chapter 447 of the Laws of 1891 be and the same is hereby amended to read as follows:

§ 1. The various State institutions, county buildings and public schools of this State shall use for fuel native or lignite coal, and it shall be unlawful for any officers to purchase for use in said institutions, county buildings and public schools any coal other than that taken from mines within the boundaries of this state; provided that this section shall not be construed as prohibiting the use of wood or other fuel at such institutions, county buildings and public schools whenever the cost thereof is less than the native coal.

SEC. 2. A violation of the provisions of this act by any officers of this State or of the various counties or school districts and school townships within this State shall work a forfeiture of his office.

And when so amended recommend that the same do pass.

H. D. HURLEY,
Chairman.

THIRD READING OF HOUSE BILLS.

House Bill No. 241,

A bill for an act to revise and consolidate the Laws of this State providing for the drainage of swamps, marshes and other low lands and to repeal the act of March, one thousand eight hundred eighty-three (Laws of 1883, chapter 75, page 177), and all amendments thereof.

Was read the third time and placed upon its final passage.

Mr. Newman asked unanimous consent to amend House Bill No. 241 as follows:

Amend by striking out lines 7, 8, 9, 10, 11 and 12, page 28 of printed bill. Strike out the words "on or before ten years at the option of said board of county commissioners" and insert in lieu thereof "not exceeding twenty years from the date of said bonds."

Which consent was granted and the bill so amended.

The question being upon the final passage of the bill as amended.

The roll being called there were ayes 42, nays 1.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Horgan,	Plain,
Bentley,	Hurley,	Sanford,
Bullard,	Johnson of Sargent,	Satterlund,
Burkhardt,	Johnson of G'd Forks,	Simpson,
Cochrane,	Johnston,	Strom,
Deans,	Kelly,	Thexton,
Ebbighausen,	Lee,	Thompson,
Elliott,	Logan,	Tufts,
Hagen,	McCulloch,	Ueland,
Hail,	McLean,	Veeder,
Halvorson,	Newman,	Wineman,
Haugen,	O'Keefe,	Wishek,
Havrevold,	Oliver,	Wright,
Hodgson,	Pierce,	Yegen.

Mr. Hallum voting in the negative.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Levang,	Ritter,
Caldwell,	Lohnes,	Severson,
Churchill,	McArthur,	Southard,
Davis,	McCanna,	Towers,
Holliday,	Oksendahl,	Wallen,
James,	Rinde,	Mr. Speaker.
Larson,		

Messrs. Ritter, Severson and Wallen being excused.

So the bill as amended passed and the title was agreed to.

Mr. McCulloch asked unanimous consent to have House bills read the second time and referred,

Which consent was granted, and

House Bill No. 256,

A bill for an act defining the duties of railroads in regard to station houses,

Was read the second time and referred to the Committee on Railroads.

House Bill No. 257,

A bill for an act to amend section 6916 of the Compiled Laws of 1887, for the purpose of vesting the court with more discretionary powers in rendering the sentence,

Was read the second time and referred to the Committee on Judiciary.

House Bill No. 259,

A bill for an act to amend section 2024 of the Civil Code, being section 4657 of the Compiled Laws, compilation of 1887, in relation to transfers of personal property,

Was read the second time and referred to the Committee on Judiciary.

House Bill No. 239,

A bill for an act to amend section 79 of chapter 132 of the Laws of 1890, being an act entitled "An act prescribing the mode of making assessment and the levy and collection of taxes and for other purposes relative thereto,"

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 42, nays 1.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hodgson,	Plain,
Bullard,	Holliday,	Sanford,
Burkhardt,	Horgan,	Satterlund,
Churchill,	Hurley,	Simpson,
Cochrane,	Johnson of G'd Forks,	Thexton,
Davis,	Johnston,	Thompson,
Deans,	Larson,	Towers,
Ebbighausen,	Levang,	Tufts,
Elliott,	Logan,	Ueland,
Hagen,	McLean,	Veeder,
Hall,	Newman,	Wineman,
Halvorson,	O'Keefe,	Wisbek,
Haugen,	Oliver,	Wright,
Havrevold,	Pierce,	Yegen.

Mr. Johnson of Sargent voting in the negative.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Lohnes,	Ritter,
Boynton,	McArthur,	Severson,
Caldwell,	McCanna,	Southard,
Hallum,	McCulloch,	Strom,
James,	Oksendahl,	Wallen,
Kelly,	Rinde,	Mr. Speaker.
Lee,		

Messrs. Ritter, Severson and Wallen being excused.

So the bill passed and the title was agreed to.

House Bill No. 173,

A bill for an act to amend section 77 of the Civil Code, being section 2588 of the Compiled Laws, relating to husband and wife,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 43, nays 2.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hodgson,	Oliver,
Bullard,	Horgan,	Plain,
Burkhardt,	Hurley,	Sanford,
Churchill,	Johnson of Sargent,	Simpson,
Cochrane,	Johnson of G'd Forks,	Strom,
Davis,	Johnston,	Thexton,
Deans,	Kelly,	Towers,
Ebbighausen,	Lee,	Tufts,
Elliott,	Levang,	Ueland,
Hagen,	Logan,	Veeder,
Hall,	McCulloch,	Wineman,
Hallum,	McLean,	Wishek,
Halvorson,	Newman,	Wright,
Haugen,	O'Keefe,	Yegen.
Havrevold,		

Messrs. Holliday and Pierce voting in the negative.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	McArthur,	Severson,
Boynton,	McCanna,	Southard,
Caldwell,	Cskendahl,	Thompson,
James,	Rinde,	Wallen,
Larson,	Ritter,	Mr. Speaker.
Lohnes,	Satterlund,	

Messrs. Ritter, Severson and Wallen being excused.

So the bill passed and the title was agreed to.

Mr. Hurley moved

That House Bill No. 172 be indefinitely postponed,
Which motion prevailed.

House Bill No. 64,

A bill for an act to amend chapter 128 of the Laws of 1889,
Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

Mr. Oliver moved

That House Bill No. 64 be referred to the order of unfinished
business to be considered in the morning.

Which motion prevailed.

House Bill No. 187,

A bill for an act repealing chapter 20 of the Laws of 1885,
Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 46, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Holliday,	Pierce,
Bentley,	Horgan,	Plain,
Bullard,	Hurley,	Sanford,
Burkhardt,	Johnson of Sargent,	Satterlund,
Churchill,	Johnson of G'd Forks,	Simpson,
Cochrane,	Johnston,	Strom,
Davis,	Kelly,	Thexton,
Deans,	Lee,	Thompson,
Ebbighausen,	Levang,	Towers,
Elliott,	Logan,	Tufts,
Hagan,	McCulloch,	Ueland,
Hall,	McLean,	Veeder,
Halvorson,	Newman,	Wishek,
Haugen,	O'Keefe,	Wright,
Havrevold,	Oliver,	Yegen.
Hodgson,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	McArthur,	Severson.
Caldwell,	McCanna,	Southard,
Hallum,	Oksendahl,	Wallen,
James,	Rinde,	Wineman,
Larson,	Ritter,	Mr. Speaker.
Lohnes,		

Messrs. Ritter, Severson and Wallen being excused.

So the bill passed and the title was agreed to.

House Bill No. 68,

A bill for an act to amend section 74 of chapter 132 of the Laws of 1890, relative to deeds and certificates,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 45, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hodgson,	Pierce,
Bentley,	Horgan,	Plain,
Bullard,	Hurley,	Sanford,
Burkhardt,	Johnson of Sargent,	Satterlund,
Caldwell,	Johnson of G'd Forks,	Simpson,
Churchill,	Johnston,	Strom,
Cochrane,	Kelly,	Thompson,
Davis,	Lee,	Towers,
Deans,	Levang,	Tufts,
Ebbighausen,	Logan,	Ueland,
Elliott,	McCulloch,	Veeder,
Hagen,	McLean,	Wineman,
Hall,	Newman,	Wishek,
Halvorson,	O'Keefe,	Wright,
Haugen,	Oliver,	Yegen.

Absent and not voting:

<p>Messrs— Boynton, Hallum, Havrevold, Holliday, James, Larson,</p>	<p>Messrs— Lohnes, McArthur, McCanna, Oksendahl, Rinde, Ritter,</p>	<p>Messrs— Severson, Southard, Thexton, Wallen, Mr. Speaker.</p>
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Messrs. Ritter, Severson and Wallen being excused.

So the bill passed and the title was agreed to.

The Special Committee on Railroads made the following report:

MR. SPEAKER:

Your Special Committee on Railroads, to whom was referred House Bill No. 174,

A bill for an act fixing the maximum rates that railroad companies may charge for the transportation of coal mined within the State of North Dakota,

Have had the same under consideration and recommend that the same, by unanimous consent, be amended so as to read as follows:

“*Provided*, That the rates for intermediate distances above the first fifty miles shall not exceed one and one-half cents per mile.”

And when so amended recommend that the same do pass.

A. J. JOHNSON,
 Chairman.

There being no objection, the report of the committee was adopted.

House Bill No. 174,

A bill for an act fixing the maximum rates that railroad companies may charge for the transportation of coal mined within the State of North Dakota,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 45, nays 1.

Those who voted in the affirmative were:

<p>Messrs— Benedict, Bentley, Bullard, Burkhardt, Caldwell, Cochrane, Davis, Deans, Elliott, Hagen, Hall, Halvorson, Haugen, Havrevold, Hodgson,</p>	<p>Messrs— Holliday, Horgan, Hurley, James, Johnson of Sargent, Johnson of G'd Forks, Johnston, Kelly, Lee, Levang, Logan, McCulloch, McLean, Newman, Oliver,</p>	<p>Messrs— Pierce, Plain, Sanford, Satterlund, Simpson, Strom, Thexton, Thompson, Towers, Tufts, Ueland, Wineman, Wishek, Wright, Yegen.</p>
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Mr. Veeder voting in the negative.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	McArthur,	Ritter,
Churchill,	McCanna,	Severson,
Ebbighausen,	O'Keefe,	Southard,
Hallum,	Oksendahl,	Wallen,
Larson,	Rinde,	Mr. Speaker.
Lohnes,		

Messrs. Ritter, Severson and Wallen being excused.

So the bill passed and the title was agreed to.

House Bill No. 34,

A bill for an act to encourage the development of the coal mines of the State, and to determine the kind of coal that shall be used in the various State institutions, county buildings and public schools of the State,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 38, nays 10.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hurley,	Sanford,
Bentley,	Johnson of Sargent,	Satterlund,
Bullard,	Johnson of G'd Forks,	Simpson,
Burkhardt,	Kelly,	Strom,
Caldwell,	Lee,	Towers,
Cochrane,	Levang,	Tufts,
Davis,	Logan,	Ueland,
Ebbighausen,	McCulloch,	Veeder,
Elliott,	McLean,	Wineman,
Hagen,	Newman,	Wishek,
Hall,	O'Keefe,	Wright,
Halvorson,	Oliver,	Yegen.
Haugen,	Pierce,	

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Churchill,	Hodgson,	Plain,
Deans,	Horgan,	Thexton,
Hallum,	Johnston,	Thompson.
Havrevold,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	McArthur,	Severson,
Holliday,	McCanna,	Southard,
James,	Oksendahl,	Wallen,
Larson,	Rinde,	Mr. Speaker.
Lohnes,	Ritter,	

Messrs. Ritter, Severson and Wallen being excused.

So the bill as amended passed and the title was agreed to.

Mr. Newman moved
That we proceed to the first and second reading of Senate bills
and that the same be considered referred,
Which motion prevailed.

FIRST READING OF SENATE BILLS.

Senate Bill No. 146,

A bill for an act to amend section 95 of the Code of Criminal
Procedure, being section 712 of the Compiled Laws,
Was read the first and second times.

Senate Bill No. 165,

A bill for an act to provide for the division of civil townships
containing two or more congressional townships by the erection
of new townships therein,
Was read the first and second times.

Senate Bill No. 60,

A bill for an act defining the powers and prescribing the duties
of the State Treasurer,
Was read the first and second times.

Senate Bill No. 35,

A bill for an act to amend chapter 23, Laws of 1890, entitled
"Organization and government of State banks,"
Was read the first and second times.

Senate Bill No. 14,

A bill for an act to regulate the appointment and prescribe the
qualifications of the special deputy sheriffs, etc.,
Was read the first and second times.

Senate Bill No. 166,

A bill for an act authorizing cities to levy and collect an annual
poll tax,
Was read the first and second times.

Senate Bill No. 167,

A bill for an act constituting boards of audit for cities and to
provide for the presentation and auditing of claims,
Was read the first and second times.

Senate Bill No. 171,

A bill for an act to provide for the erection of necessary addi-
tional buildings for the University of North Dakota at Grand
Forks, North Dakota,
Was read the first and second times.

Senate Bill No. 79,

A bill for an act to amend section 13 of article 5 of chapter 73
of the Laws of 1887, being section 902, Compiled Laws, as to com-
pensation of certain city officers,
Was read the first and second times.

Senate Bill No. 153,

A bill for an act to legalize county seat elections and removals where any defect may exist in the calling of the same,

Was read the first and second times.

Senate Bill No. 126,

A bill for an act to amend section 76 of the Justice Code, being 6117 of the Compiled Laws of 1887, relating to sale of personal property on execution from justice court,

Was read the first and second times.

Senate Bill No. 158,

A bill for an act entitled "An act granting the right of suffrage to women,"

Was read the first and second times.

Senate Bill No. 101,

A bill for an act to regulate the manner in which individuals and private corporations shall be authorized to construct, maintain and operate public warehouses and elevators on railway rights of way in the State of North Dakota,

Was read the first and second times.

Senate Bill No. 134,

A bill for an act prescribing the forms of certificate attached to school bonds and defining the duty of county auditor in relation thereto,

Was read the first and second times.

Mr. Hurley moved

That Senate Bill No. 153 be indefinitely postponed.

Mr. Strom moved

To lay the motion on the table,

Which motion prevailed.

Substitute for Senate Bill No. 76,

A bill for an act to provide for erection of necessary buildings for the Hospital for the Insane at Jamestown, N. D.,

Was read the first and second times.

Senate Bill No. 102,

A bill for an act to promote the improvement and growth of the Volunteer Firemen's Association of the State of North Dakota, to increase its usefulness and efficiency and making appropriation therefor,

Was read the first and second times.

Senate Bill No. 139,

A bill for an act to appropriate money to compensate the State of South Dakota for keeping, boarding and schooling North Dakota's refractory boys at the South Dakota Reform School,

Was read the first and second times.

Senate Bill No. 138,

A bill for an act to amend section 44 of chapter 132 of the Session Laws of 1890, being an act entitled "An act prescribing the mode of making assessments and the levy and collection of taxes and for the purposes relative thereto,

Was read the first and second times.

Mr. Oliver moved

That the House do now adjourn,

Which motion was lost.

The Committee on Counties and County Boundaries made the following report:

MR. SPEAKER:

Your Committee on Counties and County Boundaries, to whom was referred

House Bill No. 14,

A bill for an act to amend section 715 of the Compiled Laws,

Have had the same under consideration and recommend a substitute.

Also,

House Bill No. 138,

A bill for an act to authorize boards of County Commissioners in counties that contain a population of less than six thousand, as shown by the census of 1890, to dispose of and tear down buildings owned by the county and not used for county purposes, when petitioned therefor by one hundred or more of the voters of the county, when the public interest and public safety will thereby be promoted,

And recommend that the same do pass.

L. A. SIMPSON,
Chairman.

The Committee on Taxation and Tax Laws made the following report:

MR. SPEAKER:

Your Committee on Taxation and Tax Laws, to whom was referred

House Bill No. 210,

A bill for an act appertaining to the taxation of telegraph companies,

Have had the same under consideration and report the same back with recommendation that it be referred to general orders.

H. C. SOUTHARD,
Chairman.

The Joint Committee on Educational Institutions made the following report:

MR. SPEAKER: *

Your Committee on Educational Institutions, to whom was referred

House Bill No. 255,

A bill for an act to amend section 3 of an act entitled "An act to locate, establish and maintain the North Dakota Academy of Science and to provide for the government,"

Have had the same under consideration and recommend that the same do pass.

JOHN N. DEANS,
Chairman.

Mr. Oliver moved
That the House do now adjourn,
Which motion prevailed, and
The House adjourned.

J. G. HAMILTON,
Chief Clerk.

FIFTY-SEVENTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 28, 1893.

The House assembled at 10 o'clock a. m., pursuant to adjournment

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All members present except Messrs. Havrevold, McArthur, Ritter, Severson, Southard and Wallen.

Messrs. McArthur, Ritter, Severson, Wallen and Southard being excused.

The courtesies of the floor were extended to James Burke of Mandan.

The committee to revise and correct the Journal made the following report:

MR. SPEAKER:

Your committee to revise and correct the Journal have examined the Journal of the fifty-seventh day and recommend that the Journal be corrected on page 43 so as to show that Mr. Hurley voted in the affirmative on concurrent resolution and that the bill passed. With these corrections recommend that the Journal be approved.

D. C. TUFTS,
Chairman.

There being no objections the report of the committee was adopted and the Journal approved as amended.

PRESENTATION OF COMMUNICATIONS AND PETITIONS.

Mr. Speaker presented the following petition:

GRAND FORKS, N. D., February 24, 1893.

To the Legislative Assembly of the State of North Dakota:

We, the undersigned, citizens and residents of the city of Grand Forks and vicinity, most respectfully petition your honorable body for the passage

of a resolution to resubmit to the voters of this State an amendment to the State Constitution repealing article 20 thereof.

And this your petitioners will ever pray, etc.

Signed by

JAMES A. DINNIE,

And Two Hundred and Eighteen Others.

Mr. Strom presented the following petition:

To the Honorable Members of the Senate and House of the Third Legislative Assembly of the State of North Dakota:

The undersigned, residents of the State of North Dakota, believing that three years is not a sufficient length of time in which to test the workings of the prohibitory system of dealing with the liquor traffic, pray your honorable body that you do not take any steps at this session looking toward a resubmission of the question to the people or repeal of the penalty clauses.

Signed by

T. H. THOMPSON,

And Eight Hundred Gentlemen and Fifteen Hundred Ladies.

Mr. Haugen presented the following telegrams:

GRAFTON, N. D., February 27, 1893.

Chairman Temperance Committee, House:

Baptist, Presbyterian, Methodist churches are unanimously against resubmission.

W. C. T. U.

GRAND FORKS, N. D., February 27, 1893.

To the Speaker of the House:

One hundred and fifty Christian Endeavorers calls on the Legislature to vote against resubmission and any change in the penalty clause of the prohibition law.

J. McDONALD,
B. W. FISK,
Presiding Officer.

GRAND FORKS, February 27, 1893.

To the Speaker of the House:

One hundred Epworth League adopted a resolution against resubmission and petition the Legislature to stand by the present law.

THOMAS PORTE,
President.

GRAND FORKS, February 27, 1893.

To the Speaker of the House:

Five hundred Sunday school scholars petition the Legislature to take no move toward bringing back the open saloon.

GEORGE WRIGHT,
J. E. CLIFFORD,
R. B. GRIFFITH,
Superintendents.

GRAND FORKS, N. D., February 27, 1893.

To the Speaker of the House of Representatives:

One thousand attendants at church yesterday unanimously passed the following resolution:

Resolved, That we protest against resubmission and any change in the penalty clause of prohibition law. We urge our representatives to manfully uphold the present laws.

A. MCGREGOR,
L. E. BROWN,
P. W. LONGFELLOW,
M. G. HANSON,
H. J. WEEK,
O. LARSEN,
Pastors.

GRAND FORKS, N. D., February 27, 1893.

To the Speaker of the House:

The Young Men's Christian Association of this city, with a membership of 250 unanimously adopted this resolution:

Resolved, That we oppose resubmission and any change in the penalty clause of the prohibition law and request our representatives to vote in accordance with this resolution.

M. B. VAN VRAKEN,
General Secretary.

Which petitions and telegrams were referred to the Committee on Temperance.

REPORTS OF STANDING COMMITTEES.

The Judiciary Committee made the following report:

MR. SPEAKER:

Your Judiciary Committee, to whom was referred
House Bill No. 259,

A bill for an act to amend section 2024 of the Civil Code, being section 4657 of the Compiled Laws, compilation of 1887, in relation to transfers of personal property,

Have had the same under consideration and recommend that the same do pass.

SETH NEWMAN,
Chairman.

The Committee on Public Health made the following report:

MR. SPEAKER:

Your Committee on Public Health, to whom was referred
House Bill No. 227,

A bill for an act to authorize one or more towns to employ family physicians,

Have had the same under consideration and return the same without recommendation.

A. V. BENEDICT,
Chairman.

The Committee on Education made the following report:

MR. SPEAKER:

Your Committee on Education, to whom was referred
Senate Bill No. 109,

A Bill for an act to amend section 45 of chapter 62 of the General Laws of 1890,

Have had the same under consideration and recommend that the same do pass.

Also,

Senate Bill No. 133,

A bill for an act to amend section 163 of the Session Laws of 1890,

And recommend that the same do pass.

Also,

Senate Bill No. 129,

A bill for an act to amend sections 48, 59, 62, 72 and 76 of chapter 62 of the Laws of 1890, being an act entitled "An act to provide for a uniform system of free public schools throughout the State, and to prescribe penalties for violation of the provisions thereof,"

And recommend that the same do pass.

JOHN LOGAN,
Chairman.

MOTIONS AND RESOLUTIONS.

The World's Fair Commissioners presented the following communication:

Mr. Oliver moved

That the report be printed in the Journal,

Which motion prevailed.

To the House of Representatives of the State of North Dakota:

GENTLEMEN:—In response to your resolution of last Friday, February 24th, the President and Executive Manager of the Board of World's Fair Managers of North Dakota desire to make the following report for your consideration:

Amount of appropriation on hand August 15th, when this board was organized, exclusive of building fund, was \$21,597.95, of which \$11,567.95 could be used during the year 1892.

In accordance with section 2, chapter 30, Laws of 1891, the following amounts were drawn from the State Treasury in estimates made by the board:

For collection and preparation of exhibit for exposition	\$ 7,500 00
Of which there has been expended	5,306 84

Leaving a balance on hand of	\$ 2,195 16
Telegrams and postage	\$ 190 00
Of which there has been expended	142 15

Leaving a balance on hand of	\$ 47 35
For expenses of board	\$ 500 00
Of which there has been expended	373 74

Leaving a balance on hand of	\$ 126 26
Woman's work	\$ 400 00
Of which there has been expended	549 36

Overdraft	\$ 149 36
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Expenses of executive manager and clerk hire	\$ 1,300 00
Of which has been drawn out	506 11
Leaving a balance on hand of	\$ 793 89
Printing and stationery	\$ 200 00
Of which there has been expended	67 70
Leaving a balance on hand of	\$ 132 30
Salary of executive manager	\$ 1,000 00
Of which there has been expended	923 78
Leaving a balance on hand of	\$ 76 22
Insurance—Nothing drawn	
There has been expended	\$ 200 00
Overdraft	\$ 200 00
Advertising and literature	\$ 500 00
Of which there has been nothing expended	
Leaving a balance of	500 00
Cash balance on hand	\$ 3,520 32
Against which there are bills outstanding which have not yet been presented to the board of	2,239 66
Leaving a net cash balance on hand when such bills have been paid of	\$ 1,280 66
From which should be further deducted outstanding liabilities, in the nature of contracts now made by the board, for the following amounts:	
Glass cylinders for soil	\$ 216 00
Floor platform in the Agricultural building	155 00
Glass jars for samples of grain	350 00
Total	\$ 721 00
Leaving a balance of	\$ 559 66
Ten thousand dollars of the original appropriation was not available until the first day of January, 1893, to which should be added \$7.95, which was not drawn out during 1892. No portion of this has been drawn from the State Treasury. Estimates have been made against the \$10,007.95 remaining in the State Treasury as follows:	
Building pavilion in the agricultural building	\$ 1,500 00
Show cases for competitive display of grasses and grains, etc., in the agricultural building	500 00
Decorations and final arrangement of exhibit	1,000 00
Completion of exhibit and arrangement in the State building	1,500 00
Mounting, framing and properly displaying photographs presented to the board by citizens in the State	500 00
Paintings illustrating progress of the State	300 00
Salary of executive manager	1,300 00
Taxidermy	1,000 00
Stationery for use of residents of North Dakota while at exposition	300 00
Telegrams and postage	200 00
Employes required during the exposition	3,720 00
Miscellaneous items for State building	200 00
Telephone	75 00
Total	\$12,095 00
As will be seen, these amounts exceed the actual cash on hand by \$1,527.39,	

which will make it necessary for the board to cut some of these items to bring it within the actual amount of cash on hand for expenditure.

In response to your further request as to what uses the board wishes to devote the \$15,000 additional appropriation asked for, we have estimated that we need the following amounts as necessary to successfully exhibit in such a manner as to bring the best possible results to the State:

Advertising	\$ 5,000 00
Education and women's work	2,500 00
Exhibit of clays, coal, stone, etc.	1,500 00
Live stock	2,500 00
Collection and forwarding of fruits and vegetables grown in 1893..	2,000 00
Electric light for State building	600 00
North Dakota Day	1,000 00
Packing and returning exhibit	600 00
Insurance on State building and articles of value loaned the board.	500 00
Wool exhibit	300 00
Total	\$ 16,500 00

It will therefore be seen that it will be necessary to reduce some of the items in these estimates still further to bring it within the additional amount asked for.

The amount of appropriation for State building at Chicago	\$ 12,500 00
Expended upon the same: The contract price of building, except finishing of lower story	10,720 00
Zinc cuts for electro plates	30 78
On apparatus for fire protection	100 00
Incidental expenses in construction of building	129 22

There is on hand the following amounts, which, however, have been contracted for:

Grading and sodding the grounds	\$ 420 00
Water supply fixtures	300 00
Wiring building for electric light	200 00
Balance for apparatus for fire protection	100 00
Completing lower story of building	500 00

The completion and furnishing this building will cost about \$17,500, but will only cost the State of North Dakota the amount appropriated for that purpose, the rest necessary to furnish the building will be contributed by patriotic ladies of the State and a few gentlemen and firms, who are making liberal loans of various articles of furniture for this purpose, and we believe when completed our building will not only be a source of pleasure but of pride, also, to the citizens of our State who will visit the Columbian Exposition.

The object of your State board in construction of the building was to arrange the lower story for an exhibit. The upper story has been constructed exclusively for the comfort and convenience of the people of North Dakota; one room being a ladies' parlor, in which ladies from the State can hold receptions; another, a ladies' sitting room, where rest from the noise and confusion can be procured at any time by the ladies of the State; a general reception hall, used by both ladies and gentlemen; then we have a gentlemen's reception room, for writing letters and making appointments for meeting friends; a committee room, where the business of the board will be transacted, and where information will be gladly given to any citizen of North Dakota. Another room is being furnished for a press room, in which we hope to have on file the daily and weekly papers of the State of North Dakota, in which will be found a writing desk, particularly for newspaper men of North Dakota. Other conveniences in the way of washrooms will be found in the upper story of the building.

All bills paid by this board for all purposes whatsoever have only been paid on sworn vouchers, on a form used by the Auditor of this State, and only after the same have been scrutinized by the full board.

It is very difficult to answer your question explicitly as to contracts outstanding, from the fact that most of the work being done, and that will be done, is by the day; this gives your board an opportunity to discharge inefficient employes at any time, and only pay employes for actual days' work performed. Each employe is required to state specifically, not only the number of days, but the actual days he is at work. The board could not make so good a showing for the money expended but from the fact that its labors have been largely supplemented by donations on the part of citizens of this State. In cleaning grain at Bismarck, between six and seven hundred dollars was saved the State by using prison labor. All photographs of farms and public buildings have been furnished the board gratuitously by individuals and localities. Four depositories were selected at the beginning for the collection of exhibits, namely: Grand Forks, Fargo, Jamestown and Bismarck, in which localities rooms were donated to the board, and whenever it was necessary for rental to be paid, it was paid by citizens of these localities.

Up to this time three car loads of material for our exhibit have been shipped, and are now at Chicago; other exhibits are daily arriving, the most of which will be shipped as rapidly as possible.

ALFRED DICKEY,
Executive Manager World's Fair Board.

MARTIN HECTOR,
President World's Fair Board.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, February 28, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith
Substitute for Senate Bills Nos. 1 and 17,

A bill for an act to amend sections 1, 2, 4, 5, 16, 17, 18 and 24
of chapter 66 of the Laws of 1891, known as the Australian Bal-
lot Law,

Also,
Senate Bill No. 137,

A bill for an act to declare certain mills in this State public
custom mills and to regulate the rates of toll and exchange
therefor.

Also,
Senate Bill No. 53,

A bill for an act providing for the redistricting of counties into
commissioner districts,

Which the Senate has passed, and your favorable consideration
thereof is respectfully requested.

Respectfully,
FRED FALLEY,
Secretary.

COMMITTEE OF THE WHOLE.

Mr. Ueland moved
That the House do now resolve itself into Committee of the Whole for the consideration of House Bill No. 113,
Which motion prevailed.

Mr. Speaker called Mr. Elliott to the chair.

When the Committee arose the following report was presented:

MR. SPEAKER:

Your Committee of the Whole have had under consideration House Bill No. 113,

A bill for an act defining the liabilities of railroad corporations for stock killed or injured by trains operated by them,

And recommend that a committee consisting of Messrs. Johnson of Sargent, Hodgson and Boynton, to draft a Substitute Bill for House Bill No. 113, be appointed.

T. M. ELLIOTT,
Chairman.

Mr. Ueland moved
That the report of the Committee of the Whole be adopted,
Which motion prevailed, and
The report was adopted.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

EXECUTIVE CHAMBER, }
February 28, 1893. }

To the Honorable House of Representatives:

I have the honor to inform you that I have this day approved House Bill No. 13,
Entitled "An act prescribing the qualifications of deputies, clerks and employes of the State, county and municipal governments of and within the State of North Dakota."

Also,
House Bill No. 101,
Entitled "An act entitled 'An act fixing the manner of transferring interest in real estate by corporations,'"

Very respectfully,
E. C. D. SHORTRIDGE,
Governor.

COMMITTEE OF THE WHOLE.

Mr. Bentley moved
That the House do now resolve itself into Committee of the Whole for consideration of general orders,
Which motion prevailed.

Mr. Speaker called Mr. Johnson of Grand Forks to the chair.

When the committee arose the following report was presented:

MR. SPEAKER:

Your Committee of the Whole have had under consideration
House Bill No. 210,

A bill for an act appertaining to the taxation of telegraph companies,

And recommend that a committee of three be appointed to consider House Bill No. 210.

Also,

House Bill No. 169,

A bill for an act to compel all railway companies or corporations operating any line of railway, wholly or in part, within the State of North Dakota to provide all necessary facilities for the unloading from wagons and loading into cars, and furnish cars to all persons offering grain for shipment, and providing penalties for noncompliance with this act,

Together with the following amendments proposed by the Committee on Railroads:

After line 3, section 2, after the word "railway" insert "in this State." Line 4, after the word "State" insert "shall give." Line 5, in place of the word "any" insert "the." Line 5, after the word "agent" insert "of such railway company or corporation." Line 8, after the word "point" and in place of the word "such" insert the word "which." Line 8, after the word "oral" insert "and." Line 9, in place of the word "three" insert "five" and in place of the character "(3)" insert "(5)." Line 10, in place of the word "amount" insert the word "number." Line 12, after the word "wagons" insert "or other conveyances." Line 18, in place of the words "forty-eight" insert "twenty-four" and in place of the characters "(48)" insert "(24)." Line 20, in place of the words "forty-eight" insert the words "twenty-four" and in place of the characters "(48)" insert "(24)." Line 21, in place of the word "five" insert the word "three" and in place of the character "(5)" insert "(3)."

Section 3, line 6, after the word "loss" insert the words "or damage." Line 10, after the word "covered" omit the words "in the district" and insert the words "in an action in any," and after the word "of" in line 10 strike out remainder of the line and make it read "this state having jurisdiction." Line 11, strike out all to the word "justices" and insert "of the subject matter. *Provided*, also that," and strike out the words "court where" and insert in lieu thereof the words "shall have jurisdiction under this act where."

Section 4, strike out lines 1, 2, 3, 4, 5, and make the section read, down to line 6, as follows, viz.: "Any company or corporation violating the provisions of this act shall be deemed guilty of a misdemeanor and on conviction thereof shall be liable to punishment in the." Line 7, strike out all after the word "case" and insert the words "which may." Line 9, strike out the word "their" and insert in lieu thereof the word "the," and after the word "property" insert "of such company or corporation."

And recommend the adoption of the amendment.

Also, recommend that the bill be amended further by striking out section 6 of the bill.

And recommend the passage of the bill as so amended.

Also,

House Bill, No. 221,

A bill for an act to amend the law relating to exemption by amending sections 322 and 325 and repealing section 324 of the Code of Civil Procedure,

Together with the majority and minority reports of the Judiciary Committee.

And recommend the passage of the bill as amended by the following report of the Judiciary Committee:

Strike out all of said bill except section 1. First. That the title of said bill be amended by striking out after the words "amending sections 322," all of said title, so that the title will read "for an act to amend the law relating to exemption by amending section 322 of the Code of Civil Procedure."

A. J. JOHNSON,
Chairman.

Mr. Strom moved the adoption of the report of the Committee of the Whole,

Which motion prevailed.

Mr. Speaker appointed Messrs. Bentley, Newman and McCanna as a special committee on House Bill No. 210.

UNFINISHED BUSINESS.

House Bill No. 64,

A bill for an act to amend chapter 128 of the Laws of 1889,
Was read the third time and placed upon its final passage.

And the title of the bill was amended to read as follows:

By adding "being an act to provide for filing bonds of township assessors and duties of township clerks."

The question being upon the final passage of the bill.

The roll being called there were ayes 48, nays none.

Those who voted in the affirmative were:

Messrs—

Benedict,
Bentley,
Bullard,
Burkhardt,
Caldwell,
Churchill,
Cochrane,
Davis,
Ebbighausen,
Elliott,
Hagen,
Hallum,
Halvorson,
Haugen,
Havrevold,
Hodgson,

Messrs—

Holliday,
Horgan,
Hurley,
James,
Johnson of Sargent,
Johnson of G'd Forks,
Johnston,
Larson,
Lee,
Levang,
Logan,
McCanna,
McCulloch,
McLean,
Newman,
O'Keefe,

Messrs—

Oksendahl,
Oliver,
Pierce,
Sanford,
Satterlund,
Strom,
Thexton,
Thompson,
Tufts,
Ueland,
Veeder,
Wineman,
Wishek,
Wright,
Yegen,
Mr. Speaker.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	McArthur,	Simpson,
Deans,	Plain,	Southard,
Hall,	Rinde,	Towers,
Kelly,	Ritter,	Wallen.
Lohnes,	Severson,	

Messrs. McArthur, Ritter, Southard, Severson and Wallen being excused.

So the bill passed and the title was agreed to.

Mr. Pierce moved

That the Concurrent Resolution relating to amending section 7 of article 1 of the Constitution be taken from General Orders and placed on its third reading and final passage,

Which motion prevailed.

House Bill No. 9,

A bill for an act regulating the liability of railroad companies or corporations for damages caused by fire escaping from their cars or engines, and the rules of evidence relating thereto,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 41, nays 8.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hodgson,	Oksendahl,
Bentley,	Horgan,	Oliver,
Bullard,	Hurley,	Pierce,
Caldwell,	James,	Sanford,
Davis,	Johnson of Sargent,	Satterlund,
Deans,	Johnson of G'd Forks,	Strom,
Ebbighausen,	Kelly,	Thexton,
Elliott,	Larson,	Thompson,
Hagen,	Lee,	Towers,
Hall,	Levang,	Ueland,
Hallum,	Logan,	Veeder,
Halvorson,	Lohnes,	Wishek,
Haugen,	McCanna,	Wright.
Havrevold,	McCulloch,	

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Burkhardt,	Simpson,	Yegen,
Cochrane,	Tufts,	Mr. Speaker.
Newman,	Wineman,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	McLean,	Ritter,
Churchill,	O'Keefe,	Severson.
Holliday,	Plain,	Southard,
Johnston,	Rinde,	Wallen.
McArthur,		

Messrs. McArthur, Ritter, Southard, Severson and Wallen being excused.

So the bill passed and the title was agreed to.

Mr. Ueland moved

That the vote by which House Bill No. 9 was passed be reconsidered and the motion to reconsider be laid upon the table,

Which motion prevailed.

House Bill No. 217, being substitute for

House Bill No. 42,

A bill for an act to amend section 2252 of article 5 of chapter 22 of the Political Code of the Compiled Laws of 1887, being an act entitled "An act to preserve the waters of the Dakota or James River and its tributaries for domestic and drinking purposes,"

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 46, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Havrevold,	Oliver,
Bentley,	Hodgson,	Pierce,
Boynton	Hurley,	Plain,
Bullard,	James,	Sanford,
Burkhardt,	Johnson of Sargent,	Satterlund,
Churchill,	Johnston,	Strom,
Cochrane,	Larson,	Thompson,
Davis,	Lee,	Towers,
Deans.	Levang,	Tufts,
Ebbighausen,	Lohnes,	Veeder,
Elliott,	McCanna,	Wineman,
Hagen,	McLean,	Wishek,
Hall,	Newman,	Wright,
Hallum,	O'Keefe,	Yegen,
Halvorson,	Oksendahl,	Mr. Speaker.
Haugen,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Caldwell,	McArthur,	Simpson,
Holliday,	McCulloch,	Southard,
Horgan,	Rinde,	Thexton.
Johnson of G'd Forks,	Ritter,	Ueland,
Kelly,	Severson,	Wallen.
Logan,		

Messrs. McArthur, Southard, Severson, Ritter and Wallen being excused.

So the bill passed and the title was agreed to.

House Bill No. 114,

A bill for an act for the acquisition of land for township cemeteries,

Was read the third time and placed upon its final passage.

Mr. Hagen moved

That House Bill No. 114 be recommitted to a special committee, and that such committee report the bill back to be placed upon its final passage,

Which motion prevailed.

Mr. Speaker appointed as the Special Committee on House Bill No. 114, Messrs. Hagen, Bentley and Newman.

Mr. Boynton moved

That the vote by which Substitute Bill No. 217 passed be reconsidered, and that the motion to reconsider be laid on the table,

Which motion prevailed.

INTRODUCTION OF BILLS, JOINT RESOLUTIONS AND MEMORIALS.

Mr. Walsh introduced—

House Bill No. 260,

A bill for an act to regulate the working of highways in civil townships,

Which was read the first and second times and referred to the Committee on Municipal Corporations.

SECOND READING OF HOUSE BILLS.

House Bill No. 258,

A bill for an act to authorize the Governor of this State to appoint a detective with power for him to appoint subordinates to secure evidence to aid in the enforcement of the prohibition laws of this State, and to appropriate \$5,000 to pay the salary and contingent expenses,

Was read the second time and referred to the Committee on Temperance.

House Bill No. 253,

A bill for an act to regulate the manner in which individuals, firms and private corporations shall be authorized to construct, maintain and operate public warehouses and elevators on railway rights of way in the State of North Dakota,

Was read the second time and referred to the Committee on Grain Grading and Warehouses.

Mr. Strom moved

That the House take a recess until 1:30 p. m.,

Which motion prevailed, and

The House took a recess.

The House reassembled at 1:30 p. m.

The following was omitted from the record of February 23d inst.:

Senate Bill No. 113,

A bill for an act to reimburse the county of Pembina for expenses incurred in the small pox quarantine of August, 1892,

Was read the third time and placed upon its final passage.

The roll being called there were ayes 48, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Horgan,	Rinde,
Bentley,	Hurley,	Sanford,
Boynton,	James,	Satterlund,
Bullard,	Johnson of Sargent,	Simpson,
Caldwell,	Johnson of G'd Forks,	Strom,
Churchill,	Johnston,	Thexton,
Cochrane,	Kelly,	Thompson,
Davis,	Larson,	Towers,
Deans,	Lohnes,	Tufts,
Hagen,	McArthur,	Ueland,
Hall,	McCanna,	Veeder,
Hallum,	McLean,	Wallen,
Halvorson,	Newman,	Wineman,
Haugen,	O'Keefe,	Wishek,
Havrevold,	Oliver,	Wright,
Holliday,	Pierce,	Yegen.

Absent and not voting:

Messrs—	Messrs—	Messrs--
Burkhardt,	Levang,	Ritter
Ebbighausen,	Logan,	Severson,
Elliott,	McCulloch,	Southard,
Hodgson,	Oksendahl,	Mr. Speaker.
Lee,	Plain,	

Messrs. Burkhardt, Elliott, Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

Mr. Burkhardt asked unanimous consent to correct the Journal of the fifty-sixth day so as to show that he voted in the affirmative on House Bill No. 174,

Which consent was granted and the Journal so corrected.

THIRD READING OF HOUSE BILLS.

Mr. Ueland moved

That House Bill No. 233 be placed upon its third reading and final passage,

Which motion prevailed.

House Bill No. 233,

A bill for an act to amend section 91 of chapter 132 of the Laws of 1890, being an act entitled "An act prescribing the mode of making assessment and the levy and collection of taxes and for other purposes relating thereto,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 43, nays none.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	James,	Sanford,
Boynton,	Johnson of Sargent,	Satterlund,
Burkhardt,	Johnson of G'd Forks,	Simpson,
Caldwell,	Johnston,	Strom,
Churchill,	Kelly,	Thexton.
Deans,	Larson,	Thompson,
Ebbighausen,	Levang,	Towers,
Elliott,	Logan,	Tufts,
Hagen,	McCulloch,	Ueland,
Hall,	Newman,	Veeder,
Hallum,	O'Keefe,	Wishek,
Haugen,	Oksendahl,	Wright,
Hodgson,	Pierce,	Yegen,
Holliday,	Plain,	Mr. Speaker.
Hurley,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Lee,	Rinde,
Bullard,	Lohnes,	Ritter,
Cochrane,	McArthur,	Severson,
Davis,	McCanna,	Southard,
Halvorson,	McLean,	Wallen,
Havrevold,	Oliver,	Wineman.
Horgan,		

Messrs. Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

The special committee on House Bill No. 114 made the following report:

MR. SPEAKER:

Your special committee to whom was referred
House Bill No. 114,

A bill for an act for the acquisition of land for township cemeteries,

Have had the same under consideration and recommend that the same be indefinitely postponed.

HANS O. HAGEN,
Chairman.

Mr. Hagen moved

That the report of the committee be adopted,

Which motion prevailed, and

The report was adopted.

The courtesies of the floor were extended to Major Murphy.

SPECIAL ORDERS.

The hour having arrived for the consideration of the concurrent resolution providing for the repeal, by a vote of the people, of

article 20, entitled "prohibition," which was made a special order for 2 o'clock p. m.,

Mr. Ueland moved

That the resubmission resolution be made a special order for tomorrow at 2 o'clock p. m.

Mr. Horgan moved

That the motion to make the resubmission resolution a special order for tomorrow at 2 p. m. be laid on the table,

Which motion prevailed.

Mr. Ueland moved

That the resolution relating to resubmission be recommitted to Temperance Committee.

Mr. McLean moved

To lay the motion to recommit upon the table,

Which motion prevailed.

Mr. Haugen moved

That the House do now resolve itself into Committee of the Whole for the consideration of the concurrent resolution relating to resubmission,

Which motion prevailed.

Mr. Speaker called Mr. Oliver to the chair.

When the committee arose the following report was presented:

MR. SPEAKER:

Your Committee of the Whole have had under consideration a concurrent resolution relating to resubmission.

Concurrent resolution

Providing for the repeal, by a vote of the people, of article 20 of the Constitution, entitled "prohibition,"

And recommend the passage of the resolution.

H. S. OLIVER,
Chairman.

Mr. Simpson moved

That the report of the Committee of the Whole be adopted,

Which motion prevailed.

The question being upon the passage of the concurrent resolution relating to resubmission.

The roll being called there were ayes 32, nays 25.

Those who voted in the affirmative were:

Messrs—

Bentley,
Boynton,
Burkhardt,
Cochrane,
Davis,
Deans,

Messrs—

Horgan,
James,
Johnson of G'd Forks,
Johnston,
Kelly,
Lohnes,

Messrs—

Sanford,
Satterlund,
Simpson,
Thexton,
Veeder,
Wineman,

Messrs—	Messrs—	Messrs—
Ebbighausen,	McCanna,	Wishek,
Hall,	McLean,	Wright,
Hallum,	Newman,	Yegen,
Havrevold,	O'Keefe,	Mr. Speaker.
Holliday,	Plain,	

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Bullard,	Johnson of Sargent,	Oliver,
Caldwell,	Larson,	Pierce,
Churchill,	Lee,	Strom,
Elliott,	Levang,	Thompson,
Hagen,	Logan,	Towers,
Halvorson,	McArthur,	Tufts,
Haugen,	McCulloch,	Ueland,
Hodgson,	Oksendahl,	Wallen.
Hurley,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Benedict,	Ritter,	Southard.
Rinde,	Severson,	

Messrs. Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

Mr. Oliver raised the point of order that the rules have not been suspended and that the placing of the concurrent resolution on its final passage was out of order.

Mr. Speaker decided that the point of order was not well taken.

Mr. McLean moved.

That the vote by which the concurrent resolution passed be reconsidered and that the motion to reconsider be laid upon the table,

Which motion prevailed.

House Bill No. 149,

A bill for an act authorizing the appointment of stenographers for the District Courts of this State and prescribing their duties and compensation, and repealing chapter 152 of the Laws of 1879, being sections 481, 482, 483, 484, 485 and 486 of the Compiled Laws of 1887, in relation thereto,

Was read the third time and placed upon its final passage.

Mr. Wishek asked unanimous consent to amend the bill by striking out the word "ten" and inserting in lieu thereof the word "fifteen" in section 7, line 10, of printed bill,

Which consent was granted and the bill so amended.

The question being upon the passage of House Bill No. 149, as amended.

The roll being called there were ayes 45, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Kelly,	Sanford,
Bentley,	Larson,	Satterlund,
Boynton,	Lee,	Simpson,
Bullard,	Levang,	Strom,
Burkhardt,	Logan,	Thexton,
Churchill,	Lohnes,	Towers,
Cochrane,	McArthur,	Tufts,
Davis,	McCulloch,	Ueland,
Deans,	McLean,	Veeder,
Halvorson,	Newman,	Wallen,
Hodgson,	O'Keefe,	Wineman,
Horgan,	Oksendahl,	Wishek,
Hurley,	Oliver,	Wright,
Johnson of Sargent,	Pierce,	Yegen,
Johnson of G'd Forks,	Plain,	Mr. Speaker.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Caldwell,	Haugen,	Rinde,
Ebbighausen,	Havrevold,	Ritter,
Elliott,	Holliday,	Severson,
Hagen,	James,	Southard,
Hall,	Johnston,	Thompson.
Hallum,	McCanna,	

Messrs. Ritter, Severson and Southard being excused.

So the bill as amended passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, February 28, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith
House Bill No. 143,

A bill for an act providing for extention of the time for the
payment of the taxes for the year 1892,

Which has passed the Senate and your favorable consideration
thereof is respectfully requested.

Respectfully,
FRED FALLEY,
Secretary.

The Committee on Engrossed Bills made the following report:

MR. SPEAKER:

Your Committee on Engrossed Bills have examined
House Bill No. 169.

A bill for an act to compel all railway companies or corpora-
tions operating any line of railway wholly or in part within the
State of North Dakota to provide the necessary facilities for the
unloading from wagons and loading into cars and furnishing cars

to all persons offering grain for shipment, and providing penalties for non-compliance with this act.

Also,

House Bill No. 255,

A bill for an act to amend section 3 of an act entitled "An act to locate, establish and maintain the North Dakota Academy of Science and to provide for the government thereof," approved March 14, 1890,

And find the same correctly engrossed.

J. DEXTER PIERCE,
Chairman.

House Bill No. 138,

A bill for an act to authorize boards of county commissioners in counties that contain a population of less than six thousand, as shown by the census of 1890, to dispose of and tear down buildings owned by the county and not used for county purposes, when petitioned therefor by one hundred or more of the voters of the county, when the public interest and public safety will thereby be promoted,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 44, nays none.

Those who voted in the affirmative were:

Messrs—

Bentley,
Boynton,
Bullard,
Burkhardt,
Churchill,
Cochrane,
Davis,
Deans,
Hagen,
Hall,
Halvorson,
Havrevold,
Horgan,
Hurley,
James,

Messrs—

Kelly,
Larson,
Levang,
Logan,
Lohnes,
McArthur,
McCanna,
McCulloch,
McLean,
Newman,
O'Keefe,
Oksendahl,
Oliver,
Pierce,
Plain,

Messrs—

Sanford,
Satterlund,
Simpson,
Strom,
Thexton,
Thompson,
Towers,
Ueland,
Veeder,
Wineman,
Wishek,
Wright,
Yegen,
Mr. Speaker.

Absent and not voting:

Messrs—

Benedict,
Caldwell,
Ebbighausen,
Elliott,
Hallum,
Haugen,

Messrs—

Hodgson,
Holliday,
Johnson of Sargent,
Johnson of G'd Forks,
Johnston,
Lee,

Messrs—

Rinde,
Ritter,
Severson,
Southard,
Tufts,
Wallen.

Messrs. Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

House Bill No. 222,

A bill for an act to amend section 78 of chapter 132 of the Laws of 1890,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 37, nays 14.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hodgson,	Oliver,
Bentley,	Holliday,	Pierce,
Bullard,	Hurley,	Simpson,
Burkhardt,	Johnston,	Strom,
Churchill,	Kelly,	Thexton,
Cochrane,	Larson,	Tufts,
Davis,	Logan,	Ueland,
Ebbighausen,	Lohnes,	Wallen,
Hall,	McCanna,	Wishek,
Hallum,	McLean,	Wright,
Halvorson,	Newman,	Yegen,
Haugen,	O'Keefe,	Mr. Speaker.
Havrevold,		

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Caldwell,	Johnson of Sargent,	Sanford,
Deans,	Lee,	Satterlund,
Hagen,	McArthur,	Thompson,
Horgan,	McCulloch,	Towers.
James,	Oksendahl,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Plain,	Southard,
Elliott,	Rinde,	Veeder,
Johnson of G'd Forks,	Ritter,	Wineman.
Levang,	Severson,	

Messrs. Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

Mr. Hallum gave notice that at some future day he would move a reconsideration of the vote by which House Bill No. 222 passed.

Mr. Bentley raised the point of order that the motion to reconsider must be made at once.

Mr. Speaker decided the point of order well taken.

House Bill No. 102,

A bill for an act to provide free and uniform text books throughout the several counties of the state,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 50, nays 2.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hurley,	Sanford,
Bentley,	Johnson of Sargent,	Satterlund,
Boynton,	Johnson of G'd Forks	Simpson,
Bullard,	Johnston,	Strom,
Caldwell,	Kelly,	Thexton,
Davis,	Larson,	Thompson,
Ebbighausen,	Levang,	Towers,
Elliott,	Logan,	Tufts,
Hagen,	McCanna,	Ueland.
Hall,	McCulloch,	Veeder,
Hallum,	McLean,	Wallen,
Halvorson,	Newman,	Wineman,
Haugen,	O'Keefe,	Wishek,
Havrevold,	Oskendahl,	Wright,
Hodgson,	Oliver,	Yegen,
Holliday,	Pierce,	Mr. Speaker.
Horgan,	Plain,	

Messrs. Cochrane and McArthur voting in the negative.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Burkhardt,	Lee,	Ritter,
Churchill,	Lohnes,	Severson,
Deans,	Rinde,	Southard.
James,		

Messrs. Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER, }
Bismarck, February 28, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith

CONCURRENT RESOLUTION,

WHEREAS. The citizens of North Dakota, and especially those residing in the sparsely settled districts of the western and northern sections of the State, were thrown into a condition of consternation, excitement and alarm, by the threatening and hostile attitude assumed by the religious and fanatically crazed Indians, who, under the influence of Sitting Bull, during the winter of 1890 and 1891, caused great disturbance, excited much fear and generally disturbed the peace and quiet of the citizens of North Dakota; and,

WHEREAS. It was thoroughly demonstrated that it was impracticable to even attempt, during the severe winter weather, to move the citizen soldiery of the State, meagerly equipped as was North Dakota's National guard at that time, owing to previous lack of care on the part of the State, against the well armed and mounted Indians who threatened to engage in these hostilities, thus placing the people of North Dakota in a position of dependency; and,

WHEREAS. Major-General Nelson A. Miles, then in command of this military department of the United States troops, with that characteristic promptness, and previously demonstrated perfect appreciation of the dangers to be apprehended from an Indian outbreak, which has endeared him to the people of the great Northwest, did, at the loss of precious lives and with intense

suffering on the part of the officers and soldiers of his command during the inclement weather of that season of the year, so readily replace the excited Indians upon their respective reservations, thus allaying the fears of our people and restoring peace and confidence within our borders; therefore,

Be it resolved by the Senate of the Third Legislative Assembly of the State of North Dakota, the House of Representatives concurring:

That the sincere and grateful thanks of the people of the State of North Dakota, through their representatives in Legislative Assembly, are hereby tendered to Major General Nelson A. Miles, his officers and men, for the courage and gallantry exhibited by them on this occasion, in so promptly bringing into subjection the hostile and fanatical Indians who were then promising to manace the lives, property and business of the people of this State; thus, further giving evidence of his previously acknowledged military sagacity, and placing the people of the Northwest, and particularly those residing in North Dakota, under renewed obligations to himself, and the brave officers and men of his command.

Resolved, That the Secretary of State be instructed to transmit a certified copy of the above resolutions to Major General Nelson A. Miles.

Which the Senate has passed and your concurrence therein is respectfully requested.

Respectfully,
FRED FALLEY,
Secretary.

House Bill No. 242,

A bill for an act to amend section 55 of chapter 132 of the Laws of 1890,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 41, nays 6.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Johnson of G'd Forks,	Sanford,
Burkhardt,	Johnston,	Satterlund,
Caldwell,	Kelly,	Simpson,
Cochrane,	Larson,	Strom,
Ebbighausen,	Levang,	Thexton,
Hagen,	Lohnes,	Thompson,
Halvorson,	McArthur,	Towers,
Haugen,	McCanna,	Tufts,
Hodgson,	McCulloch,	Veeder,
Holliday,	McLean,	Wallen,
Horgan,	Newman,	Wineman.
Hurley,	O'Keefe,	Yegen,
James,	Pierce,	Mr. Speaker.
Johnson of Sargent,	Plain,	

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Bullard,	Deans,	• Lee,
Davis,	Hallum,	Wright.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Havrevold,	Ritter,
Boynton,	Logan,	Severson,

Messrs—

Churchill,
Elliott,
Hall,

Messrs—

Oksendahl,
Oliver,
Rinde,

Messrs—

Southard,
Ueland,
Wishek.

Messrs. Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

The Committee on Appropriations by unanimous consent made the following reports:

A majority of your Committee on Appropriations made the following report:

MR. SPEAKER:

Your Committee on Appropriations, to whom was referred Senate Bill No. 46,

A bill for the encouragement of higher education and appropriating money therefor,

Have had the same under consideration and recommend that the same do pass.

WM. A. BENTLEY,
Chairman.

A minority of your Committee on Appropriations made the following report:

MR. SPEAKER:

Your Committee on Appropriations to whom was referred Senate Bill No. 46,

A bill for the encouragement of higher education and appropriating money therefor,

Have had the same under consideration and recommend that the same do not pass.

JOHN LOGAN,
H. D. HURLEY,
A. V. BENEDICT.

Mr. Strom moved

That the reports be referred to the General Orders with Senate Bill No. 46.

Mr. Newman moved (as a substitute)

That Senate Bill No. 46 be made a special order for to-morrow at 2 o'clock p. m.,

Which motion prevailed.

Also,

MR. SPEAKER:

Your Committee on Appropriations, to whom was referred Senate Bill No. 171,

A bill for an act to provide for the erection of necessary additional buildings for the University of North Dakota at Grand Forks, North Dakota,

Have had the same under consideration and recommend that the substitute bill attached be read the first and second times and placed in general orders and further recommend that it do pass.

WM. A. BENTLEY,
Chairman.

(Substitute for Senate Bill No. 171.)

A BILL

For an act to provide for the erection of additional buildings and Universal gas plant for the University of North Dakota at Grand Forks, North Dakota.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

SECTION 1. To provide for the erection of necessary additional buildings and gas plant for the University of North Dakota at Grand Forks and other needed and necessary improvements and the proper equipments of such buildings. The board of trustees for the University of North Dakota shall issue bonds for such sum or sums of money as can actually be used in the construction of such necessary additional buildings and gas plant not exceeding the sum of \$50,000, of which sum \$12,000 shall be applied for the purpose of constructing said gas plant. Said gas plant shall be capable of generating and distributing at least 20,000 cubic feet of gas in twenty-four hours while in operation and to be of the system known as the Universal gas system. Said bonds shall be in denomination of \$1,000 each, shall bear interest at a rate not exceeding 6 per cent. per annum and shall be payable in twenty years from the date of issue from the interest and income fund accumulating from the sale, rental or lease of lands donated to the said University of the State of North Dakota by the general government and the constitution of the State of North Dakota or from the rental or lease of such lands. The interest on said bonds shall be paid annually on the first day of January of each year and shall be payable from the interest and income accumulating from the sale, rental or lease appropriated to this institution.

Provided, That a sufficient amount of funds accumulating in the interest and income fund from sale and rental of land or lands appropriated to the University of North Dakota shall be used and applied solely for the payment of interest on such bonds and for the erection of a sinking fund with which to pay said bonds on maturity.

SEC. 2. All moneys that may arise or be derived from the sale, rental or lease of lands appropriated to the University of North Dakota shall be deposited with the State Treasurer to be used exclusively for the benefit of the University of the State of North Dakota.

The Committee on Appropriations made the following report:

MR. SPEAKER:

Your Committee on Appropriations, to whom was referred Senate Bill No. 119,

A bill for an act appropriating money to insure a proper exhibit of North Dakota's resources at the Columbian Exposition, to be held at Chicago in 1893,

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 158,

A bill for an act entitled "An act to appropriate moneys out

of the State Treasury for a gas plant at the University of North Dakota,

And recommend that the same be reported back with a recommendation that further action be indefinitely postponed.

Also,

Senate Bill No. 103,

A bill for an act to provide for the purchase of a site and for the erection of a State elevator at Duluth, Minnesota, or West Superior, Wisconsin, for public storage and the shipment of wheat, and the regulation thereof, and to appropriate money for that purpose,

And recommend that the same do pass.

WM. A. BENTLEY,
Chairman.

MR. SPEAKER:

A minority of your Committee on Appropriations, to whom was referred

Senate Bill No. 103,

A bill for an act to provide for the purchase of a site and the erection of a State elevator at Duluth, Superior or West Superior for the storage and shipment of grain,

Have had the same under consideration and recommend that the same do not pass.

H. D. HURLEY,
Minority.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, February 28, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith

Senate Bill No. 70,

A bill for an act to amend section 330 of the Penal Code of 1877, being section 6531 of the Compiled Laws of 1887, relating to abduction,

Also,

Senate Bill No. 173,

A bill for an act to provide for the erection and maintenance of necessary additional buildings at the Mayville and Valley City Normal Schools, and to provide for the issuance of bonds for such purposes by the boards of directors in charge of said Normal Schools,

Also,

Senate Bill No. 186,

A bill for an act to amend the eleventh subdivision of section

5 of chapter 132, Laws of 1890, as amended by section 1 of chapter 100, Laws of 1891.

Also,

Senate Bill No. 160,

A bill for an act to amend section 480 of the Penal Code, the same being section 6651 of the Compiled Laws, relating to the laying out of poison,

Also,

Senate Bill No. 10,

A bill for an act providing for the returns and records of births, marriages and deaths, and compilation of statistics relating thereto,

Also,

Senate Bill No. 170,

A bill for an act to amend section 16 of chapter 27 of the Political Code, being section 1455 of the Compiled Laws of 1887,

Also,

Senate Bill No. 185,

A bill for an act authorizing and providing the manner of amending or changing the articles of incorporation of private corporations.

Also,

Senate Bill No. 163,

A bill for an act constituting the Commissioner of Irrigation and Forestry the Fish and Game Commissioner, and providing for the stocking and maintaining fish hatcheries and for the protection of fish in North Dakota streams.

Also,

Senate Bill No. 184,

A bill for an act to amend section 2024 of the Civil Code, being section 4657 of the Compiled Laws, compilation of 1887, in relation to the transfer of personal property,

Which the Senate has passed and your favorable consideration thereof is respectfully requested.

Respectfully,

FRED FALLEY,
Secretary.

House Bill No. 212,

A bill for an act to amend section 2 of chapter 107 of the Session Laws of 1890, entitled "An act to provide for the inspection of illuminating oils manufactured from petroleum or coal oils, for the purpose of raising the tests of oils,"

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 40, nays 6.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Boynton,	Hurley,	Plain,
Bullard,	Johnson of Sargent,	Sanford,
Burkhardt,	Johnson of G'd Forks,	Satterlund,
Churchill,	Johnston,	Simpson,
Cochrane,	Kelly,	Strom,
Davis,	Larson,	Thexton,
Ebbighausen,	Logan,	Thompson.
Elliott,	McCanna,	Towers,
Hagen,	McCulloch.	Tufts,
Hall,	McLean,	Veeder,
Hallum,	O'Keefe,	Wright,
Halvorson,	Oksendahl,	Yegen,
Hodgson,	Oliver,	Mr. Speaker.
Holliday,		

Those voting in the negative were:

Messrs—	Messrs—	Messrs—
Benedict,	Horgan,	Newman,
Deans,	James,	Pierce.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley.	Lohnes,	Southard,
Caldwell,	McArthur,	Ueland,
Haugen,	Rinde,	Wallen,
Havrevold,	Ritter.	Wineman,
Lee,	Severson,	Wishek.
Levang,		

Messrs. Ritter, Severson, Southard, McArthur and Wallen being excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, February 28, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith the following concurrent resolution in reference to the appropriation of \$30,000 by the National Congress for the purpose of erecting a penitentiary in the State of North Dakota,

Which the Senate has passed and your favorable consideration is respectfully requested.

Respectfully,
FRED FALLEY,
Secretary.

MEMORIAL AND CONCURRENT RESOLUTION.

To the Honorable the Congress of the United States:

Resolved, by the Senate, the House of Representatives Concurring:

WHEREAS, Under section 15 of the Enabling Act there was granted to the

State of North Dakota \$30,000 for the purpose of erecting a penitentiary; and,
 WHEREAS, By a subsequent act of Congress the location of said penitentiary was placed at or near the city of Grafton, in the county of Walsh, and forty acres of valuable land purchased therefor; and,

WHEREAS, The State of North Dakota has ample accommodation for State prison purposes for the next ten years by an occasional small outlay; and,

WHEREAS, There is now no building or department provided by the State for the care of the feeble-minded; and,

WHEREAS, The superintendent of the Hospital for the Insane, in his report ending October 31, 1892, to the Governor says: "The State of North Dakota has at least 150 feeble-minded children of teachable age who, if left to grow up without that care and system to be found in regular institutions, will become dangerous persons, as well to themselves as to society and the State, and will remain a burden to themselves, relatives and our Commonwealth, to say nothing of the strong possibilities of propagating children of the same or more wretched mental and physical conditions;" and,

WHEREAS, The State is asked to make an expenditure of at least \$15,000 or \$20,000 for suitable buildings for these unfortunates, to which, at present, it is unable to respond owing to the large appropriations required for permanent improvements and the maintenance of the many other State institutions, in connection with the cost of government; therefore, be it

Resolved, That it is the sense of the Legislative Assembly of the State of North Dakota that the \$30,000 granted in section 15 of the Enabling Act should be expended, and as early as possible, in the construction of an institution for the feeble-minded instead of a penitentiary; and,

Resolved, That the Secretary of the Interior be earnestly requested to change the plans for the expenditure of the balance of said grant from a penitentiary to an institution for the feeble-minded, to be located on the grounds already purchased at or near the city of Grafton, in the county of Walsh, agreeable to the State Constitution now being amended; and, be it further

Resolved, That upon the passage of this Memorial the Secretary of State be instructed to at once forward attested copies of the same, one to the Secretary of the Interior and one to each of our Senators and Representative in Congress, and that our delegation in Congress be requested to labor for the accomplishment of the object sought in this memorial.

House Bill No. 259,

A bill for an act to amend section 2024 of the Civil Code, being section 4657 of the Compiled Laws, compilation of 1887, in relation to transfers of personal property.

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 50, nays 2.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hurley,	Pierce,
Bentley,	James,	Plain,
Bullard,	Johnson of Sargent,	Sanford,
Caldwell,	Johnson of G'd Forks,	Simpson,
Cochrane,	Johnston,	Strom,
Davis,	Kelly,	Thexton,
Deans,	Larson,	Thompson,
Ebbighausen,	Lee,	Towers,
Elliott,	Levang,	Tufts,
Hagen,	McArthur,	Ueland,

Messrs—	Messrs—	Messrs—
Hall,	McCanna,	Veeder,
Hallum,	McCulloch,	Wallen.
Halvorson,	McLean,	Wineman,
Haugen,	Newman,	Wishek,
Hodgson,	O'Keefe,	Wright,
Holliday,	Oksendahl,	Yegen.
Horgan,	Oliver,	

Messrs. Burkhardt and Caldwell voting in the negative.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Rinde,	Severson,
Havrevold,	Ritter,	Southard,
Logan,	Satterlund,	Mr. Speaker.
Lohnes,		

Messrs. Ritter, Severson, Southard and Wallen being excused.

So the bill passed and the title was agreed to.

Mr. Speaker called Mr. Hall to the chair.

House Bill No. 220,

A bill for an act to require the school district treasurers to deposit district funds in designated depositories,

Was read the third time and placed upon its final passage.

The question being on the final passage of the bill.

The roll being called there were ayes 27, nays 18.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Burkhardt,	Hurley,	Plain,
Caldwell,	James,	Sanford,
Davis,	Johnson of G'd Forks,	Satterlund,
Ebbighausen,	Larson,	Stiom,
Hagen,	Levang,	Thexton,
Hall,	McCanna,	Thompson,
Hallum,	McLean,	Towers,
Holliday,	O'Keefe,	Veeder,
Horgan,	Oliver,	Wright.

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Benedict,	Haugen,	Pierce,
Bentley,	Johnston,	Tufts,
Bullard,	Lee,	Ueland,
Churchill,	McArthur,	Wallen,
Cochrane,	McCulloch,	Yegen,
Halvorson,	Oksendahl,	Mr. Speaker.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Kelly,	Severson,
Deans,	Logan,	Simpson,
Elliott,	Lohnes,	Southard,
Havrevold,	Newman,	Wineman,
Hodgson,	Rinde,	Wishek.
Johnson of Sargent,	Ritter,	

Messrs. Ritter, Severson, Southard and Wallen being excused.
So the bill was lost.

Concurrent resolution

Requesting the Secretary of the Interior to rescind his order setting apart the Turtle Mountain region as a national park.

Mr. Davis moved

The adoption of the resolution,

Which motion prevailed.

Mr. Speaker asked that House Bill No. 223 be taken out of general orders,

Which consent was granted.

Amendments to House Bill No. 223.

That the title be amended to read as follows:

"A bill for an act to provide for the destruction of weeds and grass upon public highways."

Also, that section 1 be amended by inserting the word "every" in line 1 and the following:

"Any town board of supervisors of any town in North Dakota may require."

Also, by striking out the words "the State of North Dakota" in line 2 of the printed bill and insert in lieu thereof the words "said town."

Also, by striking out of line 8 the words "such township or county" and insert in lieu thereof the words "the town in which such land is situated."

Also, by striking out all of section 1 after the word "treasury" in line 11 of printed bill and insert in lieu thereof the following:

"As the town board of supervisors shall deem reasonable and adequate."

Mr. Speaker moved

That the report of the Committee on House Bill No. 223 be adopted,

Which motion prevailed.

Mr. Speaker called Mr. McLean to the chair.

House Bill No. 244,

A bill for an act to amend section 2 of chapter 169 of the Laws of 1890, entitled "An act fixing the times and places of holding general and special terms of the Supreme Court of the State of North Dakota and providing for the expenses incident thereto,"

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 36, nays 3.

Those who voted in the affirmative were:

Messrs—

Benedict,
Bentley,
Bullard,
Burkhardt,
Caldwell,
Churchill,
Cochrane,
Davis,

Messrs—

Halvorson,
Hodgson,
Horgan,
Hurley,
James,
Johnson of Sargent,
Johnson of G'd Forks,
Johnston,

Messrs—

McLean,
Newman,
O'Keefe,
Oliver,
Pierce,
Plain,
Satterlund,
Ström,

Messrs—	Messrs—	Messrs—
Deans,	Kelly,	Thexton,
Ebbighausen,	Larson,	Thompson,
Hagen,	Lee,	Veeder,
Hall,	McCulloch,	Yegen,

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Logan,	Ueland,	Wright.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	McArthur,	Southard,
Elliott,	McCanna,	Towers,
Hallum,	Oksendahl,	Tufts,
Haugen,	Rinde,	Wallen.
Havrevold,	Ritter,	Wineman,
Holliday,	Sanford,	Wishek,
Levang,	Severson,	Mr. Speaker.
Lohnes,	Simpson,	

Messrs. Ritter, Severson, Southard and Wallen being excused.

So the bill passed and the title was agreed to.

Mr. Oliver moved

That the House proceed to the first and second reading of Senate bills,

Which motion prevailed.

Mr. Haugen moved

That the rules be suspended and that substitute for Senate Bill No. 171, together with the report of the Committee on Appropriations, which was adopted, be placed upon the calendar for third reading,

Which motion prevailed.

The Committee on Enrolled Bills made the following report:

MR. SPEAKER:

Your Committee on Enrolled Bills have examined House Bill No. 143,

A bill for an act providing for extension of the time for the payment of the taxes for the year 1892,

And find the same correctly enrolled.

ARNE P. HAUGEN,
Chairman.

Mr. Speaker announced his signature to House Bill No. 143,

A bill for an act for extension of the time of the payment of the taxes for the year 1892.

The Committee on Enrollment made the following report:

House Bill No. 143,
Was delivered to the Governor at 5 o'clock and 20 minutes this day for his approval.

ARNE P. HAUGEN,
Chairman.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 53,
A bill for an act providing for and redistricting of counties into commissioner districts,
Was read the first and second times and referred to the Committee on Municipal Corporations.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

SENATE CHAMBER,
Bismarck, February 28, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith
Senate Bill No. 127,

A bill for an act to amend chapter 126 of the Session Laws of 1890, being an act entitled "An act to provide for a transfer of freight at railroad crossings, and the maintenance of depots at the same." The purpose of this amendment being to do all proceedings in court and to limit such act to the purpose of building Y's and proper connecting tracks between all railways crossing each other in this State and to require transportation from one road to another over such Y's or connections at \$1 per car and to equally apportion the freight rate between the different railways of the State where such connections are made on the basis of the rules of transit by each,

Which the Senate has passed and your favorable consideration thereof is respectfully requested.

FRED FALLEY,
Secretary.

Also,

MR. SPEAKER:

I have the honor to transmit herewith
Senate Bill No. 169,

A bill for an act for the preservation, propagation and protection of game and fish in the State of North Dakota.

Also,

Senate Bill No. 147,

A bill for an act to amend sections 56, 57 and 58 of chapter 132 of the Session Laws of 1890, being an act describing the mode of making assessment and the levy and collection of taxes and for

other purposes relative thereto so as to lessen the expenses of obtaining judgment when the delinquent fails to pay.

Also,

Senate Bill No. 142,

A bill for an act defining the general duties of railways in the State of North Dakota,

Also,

Senate Bill No. 161,

A bill for an act entitled "An act to amend sections 1 and 3 of chapter 50 of the Session Laws of 1890, of an act entitled 'An act to fix compensation of judges of the county courts and provide a fund to reimburse the county for the same,'" approved March 18, 1890,

Which the Senate has passed and your favorable consideration thereof is respectfully requested.

FRED FALLEY,
Secretary.

Substitute for Senate Bills Nos. 1 and 17,

A bill for an act to amend sections 1, 2, 4, 16, 17, 18 and 24 of chapter 66 of Laws of 1891, known as the "Australian ballot law,"

Was read the first and second times and referred to the special committee on the Australian Ballot Law.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, February 28, 1893.

MR. SPEAKER:

I have the honor to transmit herewith
Senate Bill No. 188,

A bill for an act defining the duties of justices of the peace and describing their powers.

Also,

Senate Bill No. 177,

A bill for an act authorizing corporations to change their names.

Also,

Senate Bill No. 172,

A bill for an act to amend section one (1) of chapter 86, Laws of 1890,

Which the Senate has passed and your favorable consideration thereof is respectfully requested.

Respectfully,
FRED FALLEY,
Secretary.

Senate Bill No. 10,

A bill for an act providing for the returns and records of births, marriages and deaths, and compilation of statistics relating thereto,

Was read the first and second times and referred to the Committee on Public Health.

Mr. Oliver moved that the chair appoint a committee of five to arrange the order in which all Senate bills read the second time shall come up for third reading and final passage,

Which motion prevailed.

Mr. Speaker appointed as such committee Messrs. Oliver, Cochrane, Ueland, Hurley and Hall.

Senate Bill No. 142,

A bill for an act defining the general duties of railways in the State of North Dakota,

Was read the first and second times and referred to the Committee on Railroads.

Senate Bill No. 147,

A bill for an act to amend sections 56, 57 and 58 of chapter 132 of the Session Laws of 1890, being an act describing the mode of making assessments and the levy and collection of taxes and for other purposes relative thereto, so as to lessen the expenses of obtaining judgment when the delinquent fails to pay,

Was read the first and second times and referred to the Committee on Taxation and Tax Laws.

Senate Bill No. 70,

A bill for an act to amend section 330 of the Penal Code of 1877, being section 6531 of the Compiled Laws of 1887, relating to abduction,

Was read the first and second times and referred to the Committee on Judiciary.

Senate Bill No. 137,

A bill for an act to declare certain mills in this State public custom mills, and to regulate the rates of toll and exchange thereof,

Was read the first and second times and referred to the Committee on Corporations other than Municipal.

Senate Bill No. 185,

A bill for an act authorizing and providing the manner of amending or changing the Articles of Incorporation of Private Corporations,

Was read the first and second times.

Substitute for Senate Bill No. 171,

A bill for an act to provide for the erection of additional build-

ings and universal gas plant for the University of North Dakota, at Grand Forks, North Dakota,

Was read the first and second times.

Senate Bill No. 184,

A bill for an act to amend section 2024 of the Civil Code, being section 4657 of the Compiled Laws, compilation of 1887, in relation to transfers of personal property,

Was read the first and second times.

Senate Bill No. 160,

A bill for an act to amend section 480 of the Penal Code, the same being section 6651 of the Compiled Laws relating to the laying out of poisons,

Was read the first and second times.

Senate Bill No. 170,

A bill for an act to amend section 16 of chapter 27 of the Political Code, being section 1455 of the Compiled Laws of 1887,

Was read the first and second times.

Senate Bill No. 186,

A bill for an act to amend the eleventh subdivision of section 5 of chapter 132, Laws of 1890, as amended by section 1 of chapter 100, Laws of 1891,

Was read the first and second times.

Mr. Ueland moved

That the rules be suspended and all the Senate bills read the second time and placed upon the calendar for their third reading,

Which motion prevailed.

Senate Bill No. 173,

A bill for an act to provide for the erection and maintenance of necessary additional buildings at the Mayville and Valley City Normal Schools, and to provide for the issuance of bonds for such purposes by the Board of Directors in charge of said Normal Schools,

Was read the first and second times.

Senate Bill No. 127,

A bill for an act to amend chapter 126 of the Session Laws of 1890, being an act entitled "An act to provide for a transfer of freight at railroad crossings, and the maintenance of depots at the same." The purpose of this amendment being to do all proceedings in court and to limit such act to the purpose of building Y's and proper connecting tracts between all railways crossing each other in this State and to require transportation from one road to another over such Y's or connections at \$1 per car and to equally apportion the freight rate between the different railways of the State where such connections are made on the basis of the rules of transit by each,

Was read the first and second times.

Senate Bill No. 161,

A bill for an act to amend sections 1 and 3 of chapter 50, Laws of 1890, relating to salary of judge of the county court,

Was read the first and second times.

Senate Bill No. 163,

A bill for an act constituting the Superintendent of Irrigation and Forestry the Fish and Game Commissioner of North Dakota,

Was read the first and second times.

Mr. Oliver moved

That the House do now adjourn,

Which motion prevailed, and

The House adjourned.

J. G. HAMILTON,
Chief Clerk.

FIFTY-EIGHTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 1, 1893.

The House assembled at 10 o'clock a. m., pursuant to adjournment

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All members present except Messrs. Rinde, Ritter, Severson, Southard and Towers.

Messrs. Ritter, Severson and Southard being excused.

The committee to revise and correct the Journal made the following report:

MR. SPEAKER:

Your committee to revise and correct the Journal have examined the Journal of the fifty-seventh day and recommend that the Journal be corrected so as to show Messrs. Havrevold, McArthur and Wallen present. With this correction recommend that the Journal be approved.

D. C. TUFTS,
Chairman.

There being no objections the report was adopted and the Journal approved.

REPORTS OF STANDING COMMITTEES.

The Committee on Warehouses, Grain Grading and Dealing made the following report:

MR. SPEAKER:

Your Committee on Warehouses, Grain Grading and Dealing, to whom was referred

House Bill No 253,

A bill for an act to regulate the manner in which individuals, firms and private corporations shall be authorized to construct,

maintain and operate public warehouses and elevators on railway rights of way in the State of North Dakota,

Have had the same under consideration and recommend that the same be referred to general orders.

Also,

House Bill No. 160,

A bill for an act to protect independent grain buyers,

And recommend that the same be indefinitely postponed.

H. S. OLIVER,

Chairman.

There being no objection the report was adopted.

The Committee on Warehouses, Grain Grading and Dealing made the following report:

MR. SPEAKER:

Your Committee on Warehouses, Grain Grading and Dealing, to whom was referred

House Bill No. 249,

A bill for an act to amend section 11 of chapter 126 of the Laws of 1891, being an act entitled "An act to regulate grain warehouses and the weighing and handling of grain, and defining the duties of the Railroad Commissioners in relation thereto,"

Have had the same under consideration and recommend that the same be indefinitely postponed.

Also,

House Bill No. 248,

A bill for an act to provide for the licensing of elevators, warehouses and grain dealers,

And recommend that the same be indefinitely postponed.

H. S. OLIVER,

Chairman.

The Committee on Railroads made the following report:

MR. SPEAKER:

Your Committee on Railroads, to whom was referred

House Bill No. 256,

A bill for an act defining the duties of railroads in regard to station houses,

Have had the same under consideration and return the same without recommendation.

O. A. BOYNTON,

Chairman.

The Committee on Municipal Corporations made the following report:

MR. SPEAKER:

Your Committee on Municipal Corporations, to whom was referred

House Bill No. 260,

A bill for an act to regulate the working of highways in civil townships,

Have had the same under consideration and recommend that the same do pass.

E. H. LOHNES,
Chairman.

The Committee on School and Public Lands made the following report:

MR. SPEAKER:

Your Committee on School and Public Lands, to whom was referred

Senate Bill No. 128,

A bill for an act to amend section 4 of chapter 65 of the Session Laws of 1891, being an act entitled "An act to amend sections 2, 5, 6 and 11 of chapter 146 of the General Laws of 1890, entitled 'An act to provide for the leasing and sale of the common school lands of North Dakota,'" for the purpose of making specific appropriation by the Legislature to meet expenses that were therefor taken out of the interest and income of the permanent school fund, because the section so amended is in violation of the constitution,

Have had the same under consideration and recommend that the same be amended as follows:

In section 4 on line 7 of the printed bill after the word "actually" insert the words "and necessarily."

And when so amended recommend that the same do pass.

D. C. TUFTS,
Chairman.

Mr. McCanna moved

That the report of the Committee on School and Public Lands on Senate Bill No. 128 be adopted,

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, March 1, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith
Senate Bill No. 141,

A bill for an act to amend section 1 of chapter 78 of the General Laws of 1890, entitled An act to amend section 16 of chapter 69 of the General Laws of 1885, and section 10 of chapter 69 of the General Laws of 1889, relating to publication of insurance statements.

Also,
 Senate Bill No. 115,
 A bill for an act to provide for the payment of the salaries of
 county officers monthly,
 Which the Senate has passed and your concurrence therein is
 respectfully requested.

Respectfully,
 FRED FALLEY,
 Secretary.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

EXECUTIVE CHAMBER, }
 March 1, 1893. }

To the Honorable House of Representatives:

GENTLEMEN:

I have the honor to inform you that I have this day approved
 House Bill No. 143,
 Entitled an act providing for extension of the time for the
 payment of the taxes for the year 1892.

Very respectfully,
 E. C. D. SHORTRIDGE,
 Governor.

MOTIONS AND RESOLUTIONS.

Mr. McCanna moved
 That the House do now resolve itself into Committee of the
 Whole to consider general orders,
 Which motion prevailed.

Mr. Speaker called Mr. Hodgson to the chair.

When the Committee arose the following report was presented:

MR. SPEAKER:

Your Committee of the Whole have had under consideration
 House Bill No. 256,
 A bill for an act defining the duties of railways in regard to
 station houses,
 And recommend the passage of the bill.

Also,
 House Bill No. 251,
 A bill for an act to fix the compensation of State's Attorneys
 of the State of North Dakota,
 And recommend that the further consideration of House Bill
 No. 251 be indefinitely postponed.

Also,
 House Bill No. 132,

A bill for an act to amend section 600 of the Code of Civil Procedure, being section 5414 of the Compiled Laws of 1887,

And recommend that the further consideration of House Bill No. 132 be indefinitely postponed.

Also,

House Bill No. 211,

A bill for an act to amend sections 7 and 8 of chapter 91, Laws of 1890, relating to marriage and marriage licenses,

And recommend that the further consideration of House Bill No. 211 be indefinitely postponed.

Also,

House Bill No. 236,

A bill for an act to amend section 4 of chapter 76 of the Laws of 1891,

And recommend that the bill be referred to its appropriate committee.

Also,

House Bill No. 227,

A bill for an act to authorize one or more towns to employ family physicians,

And recommend that the further consideration of House Bill No. 227 be indefinitely postponed.

Also,

House Bill No. 155,

A bill for an act defining the duties of engrossing and enrolling clerks of the Legislative Assembly, and providing necessary assistants for the engrossment or enrollment of bills,

And recommend the passage of the bill.

Also,

House Bill No. 39,

A bill for an act defining usury and the penalty for taking the same,

And recommend that the further consideration of House Bill No. 39 be indefinitely postponed.

Also,

A concurrent resolution to amend section 7 of the Constitution of North Dakota,

And recommend the adoption of the concurrent resolution.

Also,

House Bill No. 253,

A bill for an act to regulate the manner in which individuals, firms and private corporations shall be authorized to construct, maintain and operate public warehouses and elevators on railway rights of way in the the State of North Dakota,

And recommend the passage of the bill, with the privilege of amending the bill in its third reading.

Also,

House Bill No. 238,

A bill for an act entitled "An act granting the right of suffrage to women,"

And recommend that the further consideration of the bill be indefinitely postponed.

Also,

House Bill No. 17,

A bill to fix all railroad rates of fare for passenger travel at not over three cents per mile and to prescribe a penalty for exacting or receiving a greater rate,

And recommend the passage of the bill.

Also,

House Bill No. 104,

A bill for an act to amend chapter 128 of the Session Laws of 1891, entitled "An act to provide for the collection, arrangement and display of the products of the State of North Dakota at the World's Columbian Exposition of 1893," by adding two lady commissioners to the board therein provided for, so as to better aid educational display and woman's department at the coming Columbian Exposition,

And recommend that the further consideration of House Bill No. 104 be indefinitely postponed.

JOHN E. HODGSON,
Chairman.

Mr. Deans moved

That the report of the Committee of the Whole be adopted,
Which motion prevailed.

REPORTS OF STANDING COMMITTEES.

The Committee on Appropriations made the following report:

MR. SPEAKER:

Your Committee on Appropriations, to whom was referred
Senate Bill No. 132,

A bill for an act authorizing and empowering the acquisition by the State of North Dakota of the parcel of land situate in the county of Pembina known as the burial ground of the Selkirk settlement, and making an appropriation therefor,

Have had the same under consideration and recommend that the same do pass.

WM. A. BENTLEY,
Chairman.

The Judiciary Committee made the following report:

MR. SPEAKER:

Your Judiciary Committee, to whom was referred
House Bill No. 237,

A bill for an act to authorize the organization of societies for mutual protection against larcenies of live stock,

Have had the same under consideration and recommend that the same be indefinitely postponed.

Also,

House Bill No. 79,

A bill for an act to amend section 1 of chapter 82 of the Laws of 1881, being an act entitled "An act to provide for the compilation, publication, distribution and sale of the Laws of the State of North Dakota,"

And recommend that the same be indefinitely postponed.

Also,

House Bill No. 196,

A bill for an act to amend section 1 of chapter 117 of the Laws of 1885, as amended by section 1 of chapter 22 of the Laws of 1887, being section 4897 of the Compiled Laws.

And recommend that the same be indefinitely postponed.

Also,

House Bill No. 208,

A bill for an act to repeal a special act of the Laws of 1885, entitled "An act establishing independent school districts of Walcott, Richland county, Dakota Territory."

And recommend that the same be indefinitely postponed.

Also,

House Bill No. 54,

A bill for an act to amend Sections 3 and 4 of Chapter 22 of the Political Code of 1887, being Sections 1387 and 1388 of the Compiled Laws.

And recommend that the same be indefinitely postponed.

Also,

House Bill No. 219,

A bill for an act to amend section 95 of the Code of Criminal Procedure, being section 7120 of the Compiled Laws.

And recommend that the same be indefinitely postponed.

Also,

House Bill No. 206,

A bill for an act relating to the practice in courts of justice of the peace.

And recommend that the same be indefinitely postponed.

Also,

House Bill No. 178,

A bill for an act to amend divisions 1 and 2 of section 16 of an act entitled "An act prescribing the mode of making assessment and the levy and collection of taxes, and for other purposes relative thereto,"

And recommend that the same be indefinitely postponed.

Also,

House Bill No. 159,

A bill for an act defining the marriage relation, providing who can so marry, how solemnized, and procuring and filing the license thereof,

And recommend that the same be indefinitely postponed.

SETH NEWMAN,
Chairman.

Mr. Strom moved

That the report of the Judiciary Committee on House Bills Nos. 237, 79, 196, 208, 54, 219, 206, 178 and 159 be referred to the steering committee,

Which motion prevailed.

The Committee on Temperance made the following report:

MR. SPEAKER:

Your Committee on Temperance, to whom was referred
House Bill No. 240,

A bill to amend sections 1, 10, 13, 16 and 26, chapter 110 of Laws of 1890,

Have had the same under consideration and recommend that the same be indefinitely postponed.

ARNE P. HAUGEN,
Chairman.

H. H. STROM,
K. P. LEVANG,
THEO. JOHNSON.

The Committee on Temperance made the following report:

MR. SPEAKER:

Your Committee on Temperance, to whom was referred
House Bill No. 240,

A bill for an act to amend sections 1, 10, 13, 16 and 26, chapter 110 of Laws of 1890,

Have had the same under consideration and recommend that the same do pass.

A. J. JOHNSON,
P. J. HORGAN,
JOHN N. DEANS,
CHAS. EBBIGHAUSEN.

Mr. Elliott moved

That the report signed by the chairman be adopted,

Which motion prevailed.

The Committee on Agriculture made the following report:

MR. SPEAKER:

Your Committee on Agriculture, to whom was referred
House Bill No. 8,

A bill for an act to regulate the practice of veterinary medicine, surgery and dentistry in the State of North Dakota,

Have had the same under consideration and herewith return the same to the House without recommendation.

Also,

Senate Bill No. 81,

A bill for an act to encourage the live stock industry, to provide for the purchase or importation of thoroughbred stock for breeding purposes, to protect breeders and importers from unjust and exorbitant charges, and appointing a commission for the purpose of carrying the provisions of this act into effect, and appropriating funds for the furtherance thereof,

And return the same to the House without recommendation.

O. S. WALLEN,
Chairman.

The Judiciary Committee made the following report:

MR. SPEAKER:

Your Judiciary Committee, to whom was referred
Senate Bill No. 91,

A bill for an act to amend section 4 of chapter 79 of the Laws of 1891, being an act entitled "An act defining the boundaries of the Fifth Judicial District, subdividing the same, and fixing the time for holding the terms of district court therein,"

Have had the same under consideration and recommend that the same do pass.

Also,

Senate Bill No. 80,

A bill for an act to amend section 26 of chapter 39 of the Political Code, being section 1427 of the Compiled Laws, as to collection and taxation of a jury fee in civil cases,

And recommend that the same be referred to the special committee for the consideration of Senate bills.

Also,

Senate Bill No. 112,

A bill for an act to amend section 2012 of the Civil Code, being section 4645 of the Compiled Laws of 1887,

And recommend that the same do pass.

Also,

Senate Bill No. 3,

A bill for an act to regulate the building of railroads and prevent damage to property owners thereby,

And recommend that the same be made a special order before the Judiciary Committee of the House Thursday night at 7 o'clock.

Also,

Senate Bill No. 106,

A bill for an act to amend sections 288 and 289 of the Penal

Code, being sections 6488 and 6489 of the Compiled Laws, providing for the punishment for robbery in the first and second degrees,

And recommend that the same be referred to special committee for consideration of Senate bills.

Also,

Senate Bill No. 111,

A bill for an act to amend section 1374 of the Compiled Laws as to bonds of officers,

And recommend that the same be referred to the special committee for consideration of Senate bills.

Also,

Senate Bill No. 29.

A bill for an act to amend section 290 of the Penal Code, being section 6490 of Compiled Laws,

And recommend that the same do pass.

SETH NEWMAN,
Chairman.

The Special Committee on Railroads made the following report:

MR. SPEAKER:

Your Special Committee on Railroads, to whom was referred Substitute for House Bill No. 113,

A bill for an act to define the liability of Railroad Corporations for stock killed or injured by trains operated by them,

Make the following report: That they were unable to get possession of said bill in time to pass upon the same and get it properly before the House and Senate.

THEO. JOHNSON,
Chairman.

Mr. Johnson of Sargent moved

That the report of the special committee on railroads on Substitute for House Bill No. 113 be adopted,

Which motion prevailed.

THIRD READING OF HOUSE BILLS.

House Bill No. 216,

A bill for an act providing for the separation and organization of fractional townships when connected in civil township organization with full congressional townships,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 45, nays none.

Those voting in the affirmative were:

Messrs—
Benedict,
Bentley,

Messrs—
Hurley,
James,

Messrs—
Plain,
Sanford

<p>Messrs— Burkhardt, Caldwell, Davis, Deans, Ebbighausen, Elliott, Hagen, Hall, Halvorson, Havrevold, Hodgson, Holliday, Horgan,</p>	<p>Messrs— Johnson of Sargent, Johnson of G'd Forks, Johnston, Kelly, Larson, Levang, Logan, Lohnes, McArthur, McCulloch, O'Keefe, Oksendahl, Pierce,</p>	<p>Messrs— Satterlund, Simpson, Strom, Thexton, Thompson, Tufts, Ueland, Wallen, Wineman, Wishek, Wright, Yegen, Mr. Speaker.</p>
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Absent and not voting:

<p>Messrs— Boynton, Bullard, Churchill, Cochrane, Hallum, Haugen,</p>	<p>Messrs— Lee, McCanna, McLean, Newman, Oliver, Rinde,</p>	<p>Messrs— Ritter, Severson, Southard, Towers, Veeder.</p>
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Messrs. Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

SENATE CHAMBER,
 Bismarck, March 1, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith
 House Bill No. 157,

A bill for an act granting right-of-way to railroad companies
 through public lands.

Also,

House Bill No. 194,

A bill for an act defining usury and fixing the penalty for
 taking the same,

Which the Senate has passed unchanged.

FRED FALLEY,
 Secretary.

Mr. Speaker appointed Mr. Gullickson of Walsh county as as-
 sistant enrolling and engrossing clerk from February 10, 1893,
 and Mr. Hoskins of Pembina, Mr. Higbee and Miss Lillian Webb
 to the same positions from March 1.

House Bill No. 169,

A bill for an act to compel all railway companies or corpora-
 tions operating any line of railway, wholly or in part, within
 the State of North Dakota to provide all necessary facilities for

the unloading from wagons and loading into cars, and furnish cars to all persons offering grain for shipment, and providing penalties for noncompliance with this act,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 38, nays 3.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict.	Horgan,	Okeendahl,
Burkhardt,	Hurley,	Plain,
Caldwell,	James,	Sanford,
Churchill,	Johnson of Sargent,	Simpson,
Davis,	Johnson of G'd Forks,	Strom,
Elliott,	Johnston,	Thexton,
Hagen,	Kelly,	Thompson,
Hall,	Lee,	Wineman,
Hallum,	Levang,	Wishek,
Halvorson,	Logan,	Wright,
Haugen,	McCulloch,	Yegen,
Havrevold,	McLean,	Mr. Speaker.
Hodgson.	O'Keefe,	

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Ebbighausen,	Larson,	Satterlund.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	McArthur,	Severson,
Boynton,	McCanna,	Southard,
Bullard,	Newman,	Towers,
Cochrane,	Oliver,	Tufts,
Deans,	Pierce,	Ueland,
Holliday,	Rinde,	Veeder,
Lohnes,	Ritter,	Wallen.

Messrs. Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

House Bill No. 221,

A bill for an act to amend the law relating to exemption by amending sections 322 and 325 and repealing section 324 of the Code of Civil Procedure,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 39, nays 5.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hurley,	Pierce,
Burkhardt,	James,	Sanford,
Caldwell,	Johnson of Sargent,	Satterlund,
Cochrane,	Johnson of G'd Forks,	Simpson,
Deans,	Kelly,	Strom,

Messrs—	Messrs—	Messrs—
Ebbighausen,	Larson,	Thexton,
Elliott,	Levang,	Thompson,
Hagen,	Logan,	Tufts,
Hall,	McCanna,	Wallen,
Halvorson,	McCulloch,	Wineman,
Haugen,	Newman.	Wishek,
Hodgson,	O'Keefe,	Yegen,
Holliday,	Oliver,	Mr. Speaker.

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Havrevold,	McLean,	Wright.
Johnston.	Plain,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Horgan,	Ritter,
Boynton,	Lee,	Severson,
Bullard,	Lohnes,	Southard,
Churchill,	McArthur,	Towers,
Davis,	Oksendahl,	Ueland,
Hallum,	Rinde,	Veeder.

Messrs. Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

Mr. Wineman moved

That the Steering Committee be increased from five to nine members,

Which motion prevailed.

Mr. Speaker appointed as such members Messrs. Wineman, McLean, McCulloch and Yegen.

House Bill No. 243,

A bill for an act to amend section 3 of chapter 91 of the Session Laws of 1891, for the purpose of including all lands in its provisions and requiring a judgment to be obtained to make the expense a tax on the land,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 51, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Bentley,	Horgan,	Pierce,
Burkhardt,	Hurley,	Plain,
Caldwell,	James,	Sanford,
Churchill,	Johnson of Sargent,	Satterlund,
Cochrane,	Johnston,	Simpson,
Davis,	Kelly,	Strom,
Deans,	Lee,	Thexton,
Ebbighausen,	Levang,	Thompson,
Elliott,	Logan,	Tufts,
Hagen,	McArthur,	Ueland,
Hall,	McCanna,	Veeder,
Hallum,	McCulloch,	Wallen,

Messrs—	Messrs—	Messrs—
Halvorson,	McLean,	Wineman,
Haugen,	Newman,	Wishek,
Havrevold,	O'Keefe,	Wright,
Hodgson,	Oksendahl,	Yegen,
Holliday,	Oliver,	Mr. Speaker.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Benedict,	Larson,	Severson,
Boynton,	Lohnes,	Southard,
Bullard,	Rinde,	Towers.
Johnson of G'd Forks,	Ritter,	

Messrs. Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

Mr. Speaker called Mr. Oliver to the chair.

House Bill No. 260,

A bill for an act to regulate the working of highways in civil townships,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 41, nays 2.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Horgan,	Oliver,
Bentley,	Hurley,	Pierce,
Burkhardt,	James,	Satterlund,
Churchill,	Johnston,	Simpson,
Cochrane,	Kelly,	Strom,
Davis,	Larson,	Thompson,
Deans,	Lee,	Tufts.
Ebbighausen,	McArthur,	Ueland,
Elliott,	McCanna,	Veeder,
Hagen,	McCulloch,	Wallen,
Hallum,	McLean,	Wright,
Halvorson,	Newman,	Yegen,
Haugen,	O'Keefe,	Mr. Speaker.
Havrevold,	Oksendahl,	

Messrs. Caldwell and Thexton voting in the negative.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Levang,	Sanford,
Bullard,	Logan,	Severson,
Hall,	Lohnes,	Southard,
Hodgson,	Plain,	Towers,
Holliday,	Rinde,	Wineman,
Johnson of Sargent,	Ritter,	Wishek.
Johnson of G'd Forks,		

Messrs. Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

House Bill No. 235,

A bill for an act to provide for the publication and distribution of 500 copies of the Revenue Law as amended,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 41, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	James,	Sanford,
Caldwell,	Johnston,	Satterlund,
Churchill,	Kelly,	Simpson,
Cochrane,	Larson,	Strom,
Deans,	Logan,	Thompson,
Ebbighausen,	McArthur,	Tufts,
Elliott,	McCanna,	Ueland,
Hagan,	McCulloch,	Veeder,
Hallum,	McLean,	Wallen,
Halvorson,	O'Keefe,	Wishek,
Havrevold,	Oksendahl,	Wright,
Holliday,	Oliver,	Yegen,
Horgan,	Pierce,	Mr. Speaker.
Hurley.	Plain,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Hodgson,	Rinde,
Boynton,	Johnson of Sargent,	Ritter,
Bullard,	Johnson of G'd Forks,	Severson,
Burkhardt,	Lee,	Southard,
Davis,	Levang,	Thexton,
Hall,	Lohnes,	Towers,
Haugen,	Newman,	Wineman.

Messrs. Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

House Bill No. 255,

A bill for an act to amend section 3 of an act entitled "An act to locate, establish and maintain the North Dakota Academy of Science and to provide for the government thereof," approved March 14, 1890,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 41, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Horgan,	Pierce,
Bentley,	Hurley,	Plain,
Burkhardt,	James,	Sanford,
Caldwell,	Johnson of Sargent,	Satterlund,
Churchill,	Johnston,	Simpson,
Cochrane,	Larson,	Strom,
Deans,	Lee,	Thexton,
Ebbighausen,	Logan,	Thompson,
Hagen,	McArthur,	Tufts,

Hallum,	McCanna,	Ueland,
Halvorson,	Newman,	Veeder,
Haugen,	O'Keefe,	Wishek,
Havrevold,	Oksendahl,	Yegen.
Holliday,	Oliver,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Kelly,	Severson,
Bullard,	Levang,	Southard,
Davis,	Lohnes,	Towers,
Elliott,	McCulloch,	Wallen,
Hall,	McLean,	Wineman,
Hodgson,	Rinde,	Wright,
Johnson of G'd Forks,	Ritter,	Mr. Speaker.

Messrs. Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

House Bill No. 223,

A bill for an act to provide for the destruction of weeds and grasses upon public highways,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 43, nays 1.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	James,	Plain,
Bentley,	Johnson of Sargent,	Sanford,
Burkhardt,	Johnston,	Satterlund,
Caldwell,	Larson,	Simpson,
Churchill,	Levang,	Strom,
Cochrane,	Logan,	Thexton,
Elliott,	McArthur,	Thompson,
Hagen,	McCanna,	Tufts,
Hallum,	McCulloch,	Veeder,
Halvorson,	McLean,	Wallen,
Haugen,	Newman,	Wishek,
Havrevold,	O'Keefe,	Wright,
Hodgson,	Oliver,	Yegen,
Horgan,	Pierce,	Mr. Speaker.
Hurley,		

Mr. Ueland voting in the negative.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Holliday,	Rinde,
Bullard,	Johnson of G'd Forks,	Ritter,
Davis,	Kelly,	Severson,
Deans,	Lee,	Southard,
Ebbighausen,	Lohnes,	Towers,
Hall,	Oksendahl,	Wineman.

Messrs. Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

Mr. Hurley moved

That the House do now take a recess until 2 o'clock p. m.,
Which motion prevailed, and
The House took a recess.
House reassembled.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, March 1, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith
House Bill No. 224,

A bill for an act providing for the compilation, revision and
codification of the Laws of North Dakota and the publication and
distribution and sale thereof, and to repeal chapter 82 of the Laws
of 1891, in relation thereto,

Which the Senate has passed unchanged.

Respectfully,
FRED FALLEY,
Secretary.

Mr. Speaker called Mr. Elliott to the chair.

House Bill No. 8,

A bill for an act to regulate the practice of veterinary medi-
cine, surgery and dentistry in the State of North Dakota,

Was read the third time and placed upon its final passage.

Mr. McArthur moved

That the further consideration of House Bill No. 8 be indefi-
nitely postponed,

Which motion prevailed.

CONSIDERATION OF SPECIAL ORDERS.

The hour having arrived for the consideration of Senate Bill
No. 46, made a special order for 2 o'clock p. m.,

Senate Bill No. 46,

A bill for the encouragement of higher education and appropri-
ating money therefor,

Was read the third time and placed upon its final passage.

Mr. Bentley offered the following amendments to Senate Bill
No. 46 and moved their adoption:

After the word "Dakota" in section 1, line 2, of the printed bill, insert the
words "the president of the State Agricultural College and the principal of
one of the State normal schools ex-officio."

Add also to section 1 the following:

"The principal of the Valley City normal school shall serve as representa-
tive of the normal schools for the first two years, and thereafter the represen-
tation shall alternate between the State normal schools."

After the word "any" in line 2, section 6, insert the word "assistant."

Add at the commencement of section 8 the following:

"The president of the University of North Dakota shall be examiner of the high school board ex-officio and chairman in the absence of the Governor.

Which motion prevailed, and
The amendments were adopted.

Mr. Wineman moved

That the courtesies of the floor be extended to President Merrifield of the University of North Dakota, and that he be invited to address the House on Senate Bill No. 46,

Which motion prevailed, and
President Merrifield addressed the House.

Mr. McArthur offered the following amendment and moved its adoption:

Amend section 2, line 2, by inserting after the word "township" the words "or district."

Which motion prevailed, and
The amendment was adopted.

The question being upon the final passage of the bill as amended.

The roll being called there were ayes 46, nays 2.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hurley,	Oliver,
Bentley,	James,	Pierce,
Boynton,	Johnson of Sargent,	Plain,
Bullard,	Johnson of G'd Forks,	Sanford,
Burkhardt,	Johnston,	Satterlund,
Caldwell,	Kelly,	Simpson,
Churchill,	Larson,	Strom,
Cochrane,	Levang,	Thexton,
Ebbighausen,	Logan,	Tufts,
Elliott,	McArthur,	Veeder,
Hall,	McCanna,	Wineman,
Halvorson,	McLean,	Wishek,
Haugen,	Newman,	Wright,
Hodgson,	O'Keefe,	Yegen,
Holliday,	Oksendahl,	Mr. Speaker.
Horgan,		

Messrs. Deans and Hagen voting in the negative.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Davis,	McCulloch,	Thompson,
Hallum,	Rinde,	Towers,
Havrevold,	Ritter,	Ueland,
Lee,	Severson,	Wallen.
Lohnes,	Southard,	

Messrs. Ritter, Severson and Southard being excused.

So the bill passed as amended and the title was agreed to.

Mr. McCanna moved

That the vote by which Senate Bill No. 46 was passed be re-

considered and that the motion to reconsider be laid upon the table,

Which motion prevailed.

The Committee on Engrossed Bills made the following report:

MR. SPEAKER:

Your Committee on Engrossed Bills have examined
House Bill No. 256.

A bill for an act defining the duties of railways in regard to station houses.

Also,

House Bill No. 155,

A bill for an act defining the duties of engrossing and enrolling clerks of the Legislative Assembly, and providing necessary assistants for the engrossment or enrollment of bills,

And find the same correctly engrossed.

J. DEXTER PIERCE,
Chairman.

CONCURRENT RESOLUTION,

Praying for the submission of an amendment to Section 7 of Article 1 of the Constitution to a vote of the people:

Be it resolved by the House of Representatives, the Senate Concurring: That the following amendment to the Constitution of the State of North Dakota be and the same is hereby proposed and referred to the Fourth Legislative Assembly of the State of North Dakota, to be by the members thereof agreed to and submitted to the qualified electors of this State for approval or rejection, as provided by law, namely:

That section 7 of article 1 of the Constitution of the State of North Dakota be and the same is hereby amended by adding and inserting therein the words "but in civil actions three-fourths of the jury may render a verdict," and changing the word "but" to "and," so that said section shall read as follows:

SECTION 7. The right of trial by jury shall be secured to all, and remain inviolate, but in civil actions three-fourths of the jury may render a verdict, and a jury in civil cases, in courts not of record, may consist of less than twelve men, as may be prescribed by law.

The question being upon the final passage of the resolution.

The roll being called there were ayes 28, nays 20.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Holliday,	Strom,
Bentley,	Hurley,	Thexton,
Bullard,	Larson,	Thompson,
Burkhardt,	Logan,	Tufts,
Caldwell,	McArthur,	Wallen.
Elliott,	McLean,	Wineman,
Hagen,	Oksendahl,	Wright,
Halvorson,	Pierce,	Yegen,
Havrevold,	Plain,	Mr. Speaker.
Hodgson,		

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Cochrane,	Johnson of Sargent,	Newman,
Deans,	Johnson of G'd Forks,	O'Keefe,
Ebbighausen,	Johnston,	Oliver,
Hall,	Kelly,	Sanford,
Hallum,	Lee,	Satterlund,
Horgan,	Levang,	Veeder.
James,	McCanna,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	McCulloch,	Southard,
Churchill,	Rinde,	Towers,
Davis,	Ritter,	Ueland,
Haugen,	Severson,	Wishek.
Lohnes,	Simpson,	

Messrs. Ritter, Severson and Southard being excused.

So the concurrent resolution was lost.

Mr. Speaker called Mr. Sanford to the chair.

House Bill No. 175,

A bill for an act to amend sections 1 and 2 of chapter 1 of the Laws of 1889, entitled "An act to provide security to the public against errors, omissions and defects in abstracts of real estate,"

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 25, nays 22.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hodgson,	Simpson,
Bullard,	Hurley,	Strom,
Burkhardt,	Johnson of Sargent,	Tufts,
Churchill,	Lee,	Wallen,
Cochrane,	Levang,	Wineman,
Davis,	Newman,	Wishek,
Elliott,	Pierce,	Yegen,
Halvorson,	Satterlund,	Mr. Speaker.
Haugen,		

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Caldwell,	James,	O'Keefe,
Deans,	Johnson of G'd Forks,	Oksendahl,
Ebbighausen,	Larson,	Plain,
Hagen,	Logan,	Sanford,
Hallum,	McArthur,	Thompson,
Havrevold,	McCulloch,	Veeder,
Holliday,	McLean,	Wright.
Horgan,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Lohnes,	Severson,
Boynton,	McCanna,	Southard,

Messrs—	Messrs—	Messrs—
Hall,	Oliver,	Thexton,
Johnston,	Rinde,	Towers,
Kelly,	Ritter,	Ueland.

Messrs. Ritter, Severson and Southard being excused.

So the bill was lost.

House Bill No. 155,

A bill for an act defining the duties of engrossing and enrolling clerks of the Legislative Assembly and providing necessary assistants for the engrossment or enrollment of bills,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 48, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Holliday,	Oksendahl,
Bullard,	Horgan,	Pierce,
Burkhardt,	Hurley,	Plain,
Caldwell,	James,	Sanford,
Churchill,	Johnson of Sargent,	Satterlund,
Cochrane,	Johnson of G'd Forks,	Strom,
Davis,	Kelly,	Thexton,
Deans,	Larson,	Thompson,
Ebbighausen,	Lee,	Tufts,
Elliott,	Levang,	Ueland,
Hall,	McArthur,	Veeder,
Hallum,	McCanna,	Wallen,
Halvorson,	McCulloch,	Wishek,
Haugen,	McLean,	Wright,
Havrevold,	Newman,	Yegen,
Hodgson,	O'Keefe,	Mr. Speaker.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Lohnes,	Simpson,
Boynton,	Oliver,	Southard,
Hagen,	Rinde,	Towers,
Johnston,	Ritter,	Wineman.
Logan,	Severson,	

Messrs. Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

Mr. Speaker called Mr. Ueland to the chair.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER, }
Bismarck, March 1, 1893. }

MR. SPEAKER:

I have the honor to inform you that the Senate has concurred in the House amendments to

Senate Bill No. 46,
 A bill for an act for the encouragement of higher education and
 appropriating money therefore,
 And the bill as so amended was passed.

Respectfully,
 FRED FALLEY,
 Secretary.

The Committee on Enrolled Bills made the following report:

MR. SPEAKER:

Your Committee on Enrolled Bills have examined
 House Bill No. 157,
 A bill for an act granting right of way to railroad companies
 through public lands.

Also,
 House Bill No. 194,
 A bill for an act defining usury and fixing the penalty for tak-
 ing the same,
 And find the same correctly enrolled.

ARNE P. HAUGEN,
 Chairman.

Mr. Speaker announced his signature to
 House Bill No. 194,
 A bill for an act defining usury and fixing the penalty for tak-
 ing the same.

Also,
 House Bill No. 157,
 A bill for an act granting right-of-way to railroad companies
 through public lands.

House Bill No. 256,
 A bill for an act defining the duties of railways in regard to
 station houses,

Was read the third time and placed upon its final passage.

Mr. McCanna asked unanimous consent to amend section 2 by
 adding to it the following: "And that it shall be the duty of the
 district attorney and Attorney General to enforce the provisions
 of this act in the name of the State,"

Which consent was granted and the bill was so amended.

The question being upon the passage of the bill as so amended.

The roll being called there were ayes 41, nays none.

Those who voted in the affirmative were:

Messrs—
 Bullard,
 Burkhardt,
 Caldwell,

Messrs—
 Horgan,
 Hurley,
 James,

Messrs—
 Pierce,
 Plain,
 Sanford,

Messrs—	Messrs—	Messrs—
Churchill,	Johnson of Sargent,	Satterlund,
Davis,	Johnson of G'd Forks,	Strom,
Elliott,	Kelly,	Thexton,
Hagen,	Larson,	Thompson,
Hall,	Lee,	Tufts,
Hallum,	Levang,	Ueland,
Halvorson,	Logan,	Wineman,
Haugen,	McCulloch,	Wishek,
Havrevold,	McLean,	Wright,
Hodgson,	Newman,	Mr. Speaker.
Holliday,	Oksendahl,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Benedict,	Lohnes,	Severson,
Bentley,	McArthur,	Simpson,
Boynton,	McCanna,	Southard,
Cochrane,	O'Keefe,	Towers,
Deans,	Oliver,	Veeder,
Ebbighausen,	Rinde,	Wallen,
Johnston,	Ritter,	Yegen.

Messrs. Ritter, Severson and Southard being excused.

So the bill passed as amended and the title was agreed to.

Mr. Horgan moved

That the vote by which House Bill No. 256 passed be reconsidered and that the motion to reconsider be laid on the table, Which motion prevailed.

House Bill No. 52,

A bill for an act to amend chapter 1 of article 1 of the Political Code,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 35, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hodgson,	Plain,
Bentley,	Hurley,	Sanford,
Bullard,	James,	Strom,
Burkhardt,	Johnson of G'd Forks,	Thexton,
Caldwell,	Johnston,	Thompson,
Churchill,	Lee,	Tufts,
Davis,	Logan,	Veeder,
Deans,	McArthur,	Wallen,
Elliott,	McCanna,	Wishek,
Hall,	McCulloch,	Yegen,
Hallum,	McLean,	Mr. Speaker.
Havrevold,	Pierce,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Kelly,	Ritter,
Cochrane,	Larson,	Satterlund,
Ebbighausen,	Levang,	Severson,

Messrs—	Messrs—	Messrs—
Hagen,	Lohnes,	Simpson,
Halvorson,	Newman,	Southard,
Haugen,	O'Keefe,	Towers,
Holliday,	Oksendahl,	Ueland,
Horgan,	Oliver,	Wineman,
Johnson of Sargent,	Rinde,	Wright.

Messrs. Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

Mr. Elliott moved

That the vote by which House Bill No. 52 was passed be reconsidered and that the motion to reconsider be laid upon the table, Which motion prevailed.

The Committee on Engrossed Bills made the following report:

MR. SPEAKER:

Your Committee on Engrossed Bills have examined House Bill No. 17,

A bill for an act to fix all railroad rates of fare for passenger travel at not over 3 cents per mile and to prescribe a penalty for exacting or receiving a greater rate.

And find the same correctly engrossed.

J. DEXTER PIERCE,
Chairman.

Mr. Elliott moved

That the House do now take a recess for five minutes, Which motion prevailed, And the House took a recess.

House reassembled.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER, }
Bismarck, March 1, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith Senate Bill No. 176,

A bill for an act to amend section 2115 of the Civil Code, being section 4749 of the Compiled Laws of 1887,

Also,

Senate Bill No. 145,

A bill for an act to require one railroad to permit another railroad to cross it and connect with it and to require both companies to pay the expense of construction,

Also,

Senate Bill No. 143,

Entitled an act to amend chapter 76 of the Laws of 1890, en-

titled "An act to regulate the writing of insurance of whatsoever kind in this State,"

Also,

Senate Bill No. 187,

A bill for an act to locate the School of Forestry of North Dakota,

Which the Senate has passed and your favorable consideration is respectfully requested.

Also,

House Bill No. 180,

A bill for an act to repeal chapter 27 of the Laws of 1890, entitled "An act to establish a Board of Inspectors for Steam Vessels and Steam Boilers and to provide for licensing engineers of steam engines,"

Which the Senate has passed unchanged.

Respectfully,

FRED FALLEY,
Secretary.

The Committee on Enrolled Bills made the following report:

MR. SPEAKER:

Your Committee on Enrolled Bills have examined

House Bill No. 224,

A bill for an act providing for the compilation, revision and codification of the laws of North Dakota,

And find the same correctly engrossed.

ARNE P. HAUGEN,
Chairman.

Mr. Speaker called Mr. Hall to the chair.

House Bill No. 245,

A bill for an act entitled "An act requiring counties to pay the expenses of conveying patients to the Hospital for the Insane at Jamestown and prisoners to the Penitentiary at Bismarck,"

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 19, nays 31.

Those who voted in the affirmative were:

Messrs—

Bentley,
Boynton,
Bullard,
Burkhardt,
Davis,
Elliott,
Hagen,

Messrs—

Hall,
Hurley,
Logan,
Lohnes,
McCanna,
Satterlund,

Messrs—

Tufts,
Ueland,
Veeder,
Wishek,
Wright,
Yegen.

Those voting in the negative were:

Messrs—	Messrs—	Messrs—
Benedict,	Holliday,	McCulloch.
Caldwell,	Horgan,	McLean,
Churchill,	James,	O'Keefe,
Cochrane,	Johnson of Sargent,	Plain,
Deans,	Johnson of G'd Forks,	Sanford,
Ebbighausen,	Johnston,	Strom,
Hallum,	Kelly,	Thexton,
Halvorson,	Larson,	Wallen,
Haugen,	Lee,	Wineman,
Havrevold,	Levang,	Mr. Speaker.
Hodgson,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
McArthur,	Pierce,	Simpson,
Newman,	Rinde,	Southard,
Oksendahl,	Ritter.	Thompson,
Oliver,	Severson,	Towers.

Messrs. Ritter, Severson and Southard being excused.

So the bill was lost.

House Bill No. 70,

A bill for an act to amend sections 478, 479, 484 and 485 of the Code of Civil Procedure of Dakota Territory, being sections 5292, 5293, 5298 and 5299 of the Compiled Laws, pertaining to taking, authenticating and excepting to depositions:

Was read the third time and placed upon its final passage.

Mr. Newman moved

That the further consideration of the bill be indefinitely postponed.

Which motion prevailed, and

House Bill No. 70 was indefinitely postponed.

Mr. Speaker announced his signature to

House Bill No. 224,

A bill for an act providing for the compilation, revision and codification of the Laws of North Dakota and the publication and distribution and sale thereof, and to repeal chapter 82 of the Laws of 1891, in relation thereto.

House Bill No. 228,

A bill for an act to prevent property from escaping taxation through technical defects.

Was read the third time and placed upon its final passage.

Mr. Hurley moved

That the further consideration of House Bill No. 228 definitely postponed.

Which motion prevailed, and

The bill was indefinitely postponed.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, March 1, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith

Senate Bill No. 84,

A bill for an act to repeal chapter 123 of the Laws of 1890, entitled "An act to facilitate the shipment of grain, live stock and other commodities," and to repeal the amendment to the above act, approved June 3, 1892, entitled "An act to amend sections 1 and 2 of chapter 123 of the Laws of 1890," and provide in lieu thereof that every railway in the State shall be required to build and maintain suitable platforms at every station or siding in the State where there is an established elevator or warehouse for the receiving of grain; such platform to be for the public convenience to facilitate the loading of grain and other commodities from wagons into cars for shipment.

Also,

Senate Bill No. 179,

A bill for an act to require separate ballot boxes to be provided at all general elections in the State to receive the votes cast by women.

Also,

Senate Bill No. 157,

A bill for an act to repeal chapter 126 of the Session Laws of 1891, being an act entitled "An act to regulate warehouses and the weighing and handling of grain, and defining the duties of Railroad Commissioners in relation thereto," the purpose of this repeal being to take certain powers away from the Railroad Commissioners and leave the redress to be obtained through the courts.

Also,

Senate Bill No. 156,

A bill for an act to repeal sections 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20 of chapter 122 of the Session Laws of 1890, being an act entitled "An act to regulate common carriers, and defining the duties of the Commissioners of Railroads in relation thereto in the State of North Dakota," approved March 19, 1890.

Which the Senate has passed and your favorable consideration thereof is respectfully requested.

Respectfully,

FRED FALLEY,
Secretary.

MR. SPEAKER:

I have the honor to transmit herewith

Senate Bill No. 155,

A bill for an act to repeal sections 1, 2, 3, 4, 5, 6, 7, 8, 10, 13, 14 and 15 of chapter 126 of the Session Laws of Dakota Territory for the year 1885, being approved March 6, 1885, and en-

titled, "An act to provide for the establishment of a Board of Railroad Commissioners, defining their duties and to regulate the receiving and transportation of freight on railroads in this Territory for the purpose of doing away with the Secretary of the Railroad Commission in cutting off its alleged powers, and leaving all remedies in the hands of the court,"

Which the Senate has passed and your favorable consideration thereof is respectfully requested.

Respectfully,
 FRED FALLEY,
 Secretary.

House Bill No. 209,

A bill for an act to repeal chapter 36 of the Session Laws of 1890, being an act to encourage the manufacture of potato starch in the State of North Dakota,

Was read the third time and placed upon its final passage.

Mr. Hurley moved

That the further consideration of House Bill No. 209 be indefinitely postponed.

Roll call demanded.

The roll being called there were ayes 36, nays 19.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Haugen,	Pierce,
Bentley,	Havrevold,	Satterlund,
Bullard,	Horgan,	Simpson,
Burkhardt,	Hurley,	Strom,
Churchill,	James,	Tufts,
Cochrane,	Larson,	Veeder,
Deans,	Logan,	Wallen,
Ebbighausen,	Lohnes,	Wineman,
Elliott,	McArthur,	Wishek,
Hagen,	McCanna,	Wright.
Hall,	O'Keefe,	Yegen,
Halvorson,	Oliver,	Mr. Speaker.

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Boynton,	Johnston,	Oksendahl,
Caldwell,	Kelly,	Plain,
Hallum,	Lee,	Sanford,
Hodgson,	Levang,	Thexton,
Holliday,	McCulloch,	Thompson,
Johnson of Sargent,	McLean,	Ueland,
Johnson of G'd Forks,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Davis,	Ritter,	Southard,
Newman,	Severson,	Towers,
Rinde,		

Messrs. Ritter, Severson and Southard being excused.

So the further consideration of House Bill No. 209 was indefinitely postponed.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, March 1, 1893.

MR. SPEAKER:

I have the honor to transmit herewith
Senate Bill No. 123,

A bill for an act to establish a school of mines at the city of Grand Forks and to provide for its support and management and creating the office of State Geologist.

Also,

Senate Bill No. 189,
Concurrent resolution,

Which the Senate has passed, and your favorable consideration is respectfully requested.

Respectfully,
FRED FALLEY,
Secretary.

Mr. Hagen moved

That the rules be suspended, and that House Bill No. 17 be placed upon its third reading and final passage,
Which motion prevailed.

House Bill No. 17,

A bill to fix all railroad rates of fare for passenger travel at not over three cents per mile and to prescribe a penalty for exacting or receiving a greater rate,

Was read the third time and placed upon its final passage.

The question being on the final passage of the bill.

The roll being called there were ayes 22, nays 14.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Bullard,	Johnson of Sargent,	McLean,
Caldwell,	Johnson of G'd Forks,	Sanford,
Churchill,	Kelly,	Strom,
Deans,	Levang,	Tufts,
Hagen,	Logan,	Ueland,
Hall,	McCanna,	Wright,
Hallum,	McCulloch,	Mr. Speaker.
Hodgson,		

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Benedict,	James,	O'Keefe,
Burkhardt,	Johnston,	Oliver,
Ebbighausen,	Larson,	Satterlund,

Messrs—	Messrs—	Messrs—
Halvorson,	Lee,	Yegen.
Horgan,	McArthur,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Lohnes,	Southard,
Boynton,	Newman,	Thexton,
Cochrane,	Oksendahl,	Thompson,
Davis,	Pierce,	Towers,
Elliott,	Plain,	Veeder,
Haugen,	Rinde,	Wallen,
Havrevold,	Ritter,	Wineman,
Holliday,	Severson,	Wishek.
Hurley,	Simpson,	

Messrs. Ritter, Severson and Southard being excused.

So the bill was lost.

Mr. Oliver moved

That the house do now proceed to the first and second reading and reference of Senate bills,

Which motion prevailed.

The Committee on Enrolled Bills made the following report:

MR. SPEAKER:

Your Committee on Enrolled Bills report that they have delivered to the Secretary of State the following concurrent resolutions:

Concurrent resolution providing that the Legislative Assembly shall have no power to authorize lotteries or gift enterprises for any purpose and shall pass laws to prohibit the sale of lottery or gift tickets.

Also,

Concurrent resolution to the Congress of the United States praying for the submission of an amendment to the Constitution of the United States providing for the election of United States Senators by the direct vote of the people.

Also,

Concurrent resolution to the Congress of the United States praying for the passage of the "Good Roads Bill."

Also,

That at the hour of 4:15 o'clock to-day they delivered to the Governor the following House bills:

House Bill No. 157,

A bill for an act granting right of way to railroad companies through public lands.

Also,

House Bill No. 194,

A bill for an act defining usury and fixing the penalty for taking the same.

Also,

House Bill No. 224,

A bill for an act providing for the compilation, revision and codification of the Laws of North Dakota and the publication and distribution and sale thereof, and to repeal chapter 82 of the Laws of 1891, in relation thereto.

ARNE P. HAUGEN,
Chairman.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 45,

A bill for an act to encourage the manufacture of butter and cheese in the State of North Dakota,

Was read the first and second times.

Senate Bill No. 176,

A bill for an act to amend section 2115 of the Civil Code, being section 4449 of the Compiled Laws of 1887,

Was read the first and second times.

Senate Bill No. 187,

A bill for an act to provide for an election to locate the School of Forestry of North Dakota,

Was read the first and second times.

Senate Bill No. 115,

A bill for an act to provide for the payment of the salaries of county officers monthly,

Was read the first and second times.

Substitute for Senate Bill No. 143,

A bill for an act to amend chapter 76 of the Laws of 1890, entitled "An act to regulate the writing of insurance of whatsoever kind in this State,

Was read the first and second times.

Senate Bill No. 141,

A bill for an act to amend section 1 of chapter 78 of the General Laws of 1890, entitled "An act to amend section 16 of the General Laws of 1885, and section 10 of chapter 69 of the General Laws of 1889, relating to the publication of insurance statements,"

Was read the first and second times.

Senate Bill No. 177,

A bill for an act authorizing corporations to change their names,

Was read the first and second times.

Senate Bill No. 188,

A bill for an act defining the duties of justices of the peace and describing their powers,

Was read the first and second times.

CONCURRENT RESOLUTION.

Be it resolved by the Senate of the State of North Dakota, the House of Representatives concurring:

That the following proposition to amend the Constitution of the State of North Dakota is hereby submitted to the Fourth Session of the Legislative Assembly of the State of North Dakota, to be by them submitted to the qualified electors of the State for approval or rejection, namely:

The Constitution of the State of North Dakota is hereby amended by striking out the word "two" in line 3 after the word "of" and the words "hundred thousand dollars" in line 4 of section 182 of article 12 of the constitution, and inserting in lieu thereof the following: "Five (5) mills on the dollar of the assessed valuation of all taxable property in the State, to be ascertained by the last assessment made for the State and county purposes,"

Was read the first and second times.

Senate Bill No. 172,

A bill for an act to amend sections 1 and 3 of chapter 86, Laws of 1890,

Was read the first and second times.

Senate Bill No. 123,

A bill for an act to establish a school of mines at the city of Grand Forks and to provide for its support and management and creating the office of State Geologist,

Was read the first and second times.

The Committee on Enrolled Bills made the following report:

MR. SPEAKER:

Your Committee on Enrolled Bills have examined
House Bill No. 180,

A bill for an act to repeal chapter 27 of the Laws of 1890, entitled "An act to establish a Board of Inspectors for Steam Vessels and Steam Boilers and to provide for licensing engineers of steam engines."

And find the same correctly engrossed.

ARNE P. HAUGEN,
Chairman.

Senate Bill No. 155,

A bill for an act to repeal sections 1, 2, 3, 4, 5, 6, 7, 8, 10, 13, 14 and 15 of chapter 126 of the Session Laws of Dakota Territory for the year 1885, being approved March 6, 1885, and entitled "An act to provide for the establishment of a Board of Railroad Commissioners, defining their duties and to regulate the receiving and transportation of freight on railroads in this Territory for the purpose of doing away with the Secretary of the Railroad Commission in cutting off its alleged powers, and leaving all remedies in the hands of the court,"

Was read the first and second times.

Senate Bill No. 157,

A bill for an act to repeal chapter 126 of the Session Laws of 1891, being an act entitled "An act to regulate warehouses and the

weighing and handling of grain, and defining the duties of Railroad Commissioners in relation thereto," the purpose of this repeal being to take certain powers away from the Railroad Commissioners and leave the redress to be obtained through the courts,

Was read the first and second times.

Senate Bill No. 15,

A bill for an act to repeal sections 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20 of chapter 122 of the Session Laws of 1890, being an act entitled "An act to regulate common carriers, and defining the duties of the Commissioners of Railroads in relation thereto in the State of North Dakota," approved March 19, 1890,

Was read the first and second times,

Senate Bill No. 179,

A bill for an act to require separate ballot boxes to be provided at all general elections in this State to receive the votes cast by women,

Was read the first and second times.

Mr. McLean moved

That the House do now adjourn,

Which motion prevailed, and

The House adjourned.

J. G. HAMILTON,
Chief Clerk.

FIFTY-NINTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 2, 1893.

The House assembled at 10 o'clock a. m., pursuant to adjournment

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All members present except Messrs. Davis, Ritter, Severson and Southard.

Messrs. Ritter, Severson and Southard being excused.

The committee to revise and correct the Journal made the following report:

MR. SPEAKER:

Your committee to revise and correct the Journal have examined the Journal of the fifty-eighth day and report the same to be correct.

D. C. TUFTS,
Chairman.

There being no objections the report of the committee was adopted and the Journal approved.

Mr. Speaker announced his signature to
House Bill No. 180,

A bill for an act to repeal chapter 27 of the Laws of 1890, entitled "An act to establish a Board of Inspectors for Steam Vessels and Steam Boilers and to provide for licensing engineers of steam engines."

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, March 2, 1893. }

MR. SPEAKER:

I have the honor to inform you that the Senate has concurred in the House Joint Memorial to Congress to enact a graduated income tax.

Also in the House Concurrent Resolution relating to the apportionment of the National militia fund.

Also in the House Concurrent Resolution petitioning the Secretary of the Interior to withdraw his order setting aside certain territory in the Turtle mountain region for National park purposes.

Respectfully,
FRED FALLEY,
Secretary.

REPORTS OF SPECIAL COMMITTEES.

The Special Committee to arrange the order in which Senate Bills should be presented for action made the following report:

Your committee to which was referred all Senate Bills report the following: Nos. 95, 42, 11, 177, 110, 163, 111, 27, 93, 66, 14, 127, 94, 167, 84, 109, 108.

H. S. OLIVER.

MR. SPEAKER:

Your Special Committee to which was referred Senate Bills submit the following report:

That Senate Bills Nos. 103, 119, 102, 63, 171, 139, 184, 76, 116, 173, 99, 132, 73 and 123 be taken up in the order named, these bills being bills making appropriations, etc., for the various State institutions.

H. S. OLIVER,
W. F. COCHRANE,
H. D. HURLEY,
RALPH HALL,
L. A. UELAND.

The Committee on Engrossed Bills made the following report:

MR. SPEAKER:

Your Committee on Engrossed Bills have examined House Bill No. 253,

A bill for an act to regulate the manner in which individuals, firms and private corporations shall be authorized to construct, maintain and operate public warehouses and elevators on railway rights of way in the the State of North Dakota,

And find the same correctly engrossed.

J. DEXTER PIERCE,
Chairman.

THIRD READING OF SENATE BILLS.

Senate Bill No. 103,

A bill for an act to provide for the purchase of a site and for the erection of a State elevator at Duluth, Minnesota, or West Superior, Wisconsin, for public storage and the shipment of wheat and the regulation thereof, and to appropriate money for that purpose,

Was read the third time and placed upon its final passage.

Mr. Tufts moved

That the further consideration of Senate Bill No. 103 be indefinitely postponed.

Mr. Ueland moved

As a substitute,

That the courtesies of the floor be extended to the Attorney General, and that he be invited to address the House on Senate Bill No. 103,

Which motion prevailed,

And the Attorney General addressed the House.

Mr. Kelly moved

To lay upon the table the motion to indefinitely postpone the further consideration of Senate Bill No. 103,

Which motion prevailed.

The question being upon the final passage of the bill.

The roll being called there were ayes 44, nays 7.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Bentley,	Hodgson,	O'Keefe,
Benedict,	Holliday,	Plain,
Bullard,	Horgan,	Sanford,
Burkhardt,	Johnson of Sargent,	Satterlund,
Caldwell,	Johnson of G'd Forks,	Strom,
Churchill,	Johnston,	Thexton,
Deans,	Kelly,	Thompson,
Ebbighausen,	Larson,	Towers,
Elliott,	Lee,	Ueland.
Hagen,	Levang,	Veeder,
Hall,	Logan,	Wineman,
Hallum,	Lohnes,	Wishek,
Halvorson,	McCanna,	Yegen,
Haugen,	McCulloch,	Mr. Speaker.
Havrevold,	McLean,	

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Boynton,	Newman,	Pierce,
Cochrane,	Oliver,	Tufts.
Hurley,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Davis,	Rinde,	Southard,
James,	Ritter,	Wallen,
McArthur,	Severson,	Wright.
Oksendahl,	Simpson,	

Messrs. Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

Mr. Ueland moved

That the vote by which Senate Bill No. 103 passed be reconsidered and that the motion to reconsider be laid on the table,
Which motion prevailed.

Senate Bill No. 119,

A bill for an act appropriating money to insure a proper exhibit of North Dakota's resources at the Columbian Exposition, to be held at Chicago in 1893,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 39, nays 11.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Havrevold,	Oliver,
Bentley,	Holliday,	Pierce,
Boynton,	Hurley,	Plain,
Bullard,	Johnston,	Sanford
Burkhardt,	Kelly,	Satterlund,
Churchill,	Larson,	Strom,
Cochrane,	Lee,	Tufts,
Deans,	Logan,	Ueland,
Ebbighausen,	McCanna,	Veeder,
Elliott,	McLean,	Wineman,
Hall,	Newman,	Wishek,
Halvorson,	O'Keefe,	Yegen,
Haugen,	Oksendahl,	Mr. Speaker.

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Caldwell,	Johnson of G'd Forks,	Thexton,
Hagen,	Levang,	Thompson,
Hallum,	Lohnes,	Towers,
Hodgson,	McCulloch,	Wallen.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Davis,	McArthur,	Simpson,
Horgan,	Rinde,	Southard,
James,	Ritter,	Wright.
Johnson of Sargent,	Severson,	

Messrs. Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

Mr. Oliver moved

To reconsider the vote by which Senate Bill No. 119 was passed and to lay the motion to reconsider upon the table,

Which motion prevailed.

CONCURRENT RESOLUTION.

Be it resolved by the Senate, the House concurring:

WHEREAS, There will be valuable exhibits from our State at the World's Columbian Exposition of 1893; and

WHEREAS, Same is liable to go to waste unless placed under the care of some responsible parties; and

WHEREAS, We believe that said exhibits would add greatly to the attraction of our State Fair, and would, if transferred to the State Board of Agriculture, be properly taken care of; therefore, be it

Resolved, That on the adjournment of the World's Columbian Exposition of 1893, all exhibits and all other matters and things of value expended by this State at said Exposition, including such parts of the building as are portable and can be severed from the building, and all exhibits and things donated to the State for such purposes, be and the same is hereby transferred to the State Board of Agriculture to forever be the property of said Board.

Be it further Resolved, That upon the adjournment of the World's Columbian Exposition it shall be the duty of the Board of World's Fair Managers of North Dakota to transfer all exhibits and other things of value to the State Board of Agriculture, to be by said board kept at the place of the holding of our State Fair.

Mr. Wineman moved

That the Concurrent Resolution be adopted,

Which motion prevailed, and

The resolution was adopted.

The Committee on Enrolled Bills made the following report:

MR. SPEAKER:

Your Committee on Enrolled Bills report that at the hour of 10:30 they delivered to the Governor

House Bill No. 180,

A bill for an act to repeal chapter 27 of the Laws of 1890, entitled "An act to establish a board of inspectors for steam vessels and steam boilers,"

For his signature.

ARNE P. HAUGEN,
Chairman.

Substitute for Senate Bill No. 102,

A bill for an act to promote the improvement and growth of the Volunteer Firemen's Association of the State of North Dakota, to increase its usefulness and efficiency, and making an appropriation therefor,

Was read the third time and placed upon its final passage.

Mr. Hagen moved

That the further consideration of Substitute for Senate Bill No. 102 be indefinitely postponed.

Mr. Lohnes moved

That the motion to indefinitely postpone be laid upon the table,

Which motion prevailed.

The question being upon the final passage of the bill.

The roll being called there were ayes 36, nays 9.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Bentley,	Johnson of G'd Forks,	Oliver,
Boynton,	James,	Pierce,
Bullard,	Johnston,	Plain,
Burkhardt,	Kelly,	Sanford,
Churchill,	Larson,	Satterlund,
Cochrane,	Logan,	Simpson,
Ebbighausen,	Lohnes,	Tufts,
Elliott,	McCanna,	Veeder,
Halvorson,	McLean,	Wineman,
Havrevold,	Newman,	Wright,
Horgan,	O'Keefe,	Yegen,
Hurley,	Oksendahl,	Mr. Speaker.

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Deans,	Hodgson,	Levang,
Hagen,	Johnson of Sargent,	McCulloch,
Haugen,	Lee,	Thompson.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Benedict,	McArthur,	Thexton,
Caldwell,	Rinde,	Towers,
Davis,	Ritter,	Ueland,
Hall,	Severson,	Wallen,
Hallum,	Southard,	Wishek.
Holliday,	Strom,	

Messrs. Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, March 2, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith
House Bill No. 226,

A bill for an act to repeal section 5 of chapter 128 of the General Laws of 1891, entitled "An act to provide for the collection, arrangement and display of the products of the State of North Dakota at the World's Columbian Exposition."

Also,

House Bill No. 214,

A bill for an act to provide for the trial of cases tried by the district court without a jury and for the hearing of such actions on appeal.

Also,

House Bill No. 127,

A bill for an act to establish an experimental station for the purposes of irrigation.

Also,

House Bill No. 232,

A bill for an act to amend an act entitled "An act to provide for taxation of real and personal property situated in unorganized counties,"

Which the Senate has passed unchanged.

Respectfully,

FRED FALLEY,
Secretary.

Senate Bill No. 63,

A bill for an act appropriating money from the State Treasury, not otherwise appropriated, to reimburse the county of Ward for money paid by said county in the holding of coroners' inquests, in the expense of criminal trials and in assessing and collecting the State tax in the unorganized counties of Buford, Montraille, Flanery and Renville in the years 1890, 1891 and 1892,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 38, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Bentley,	Hurley,	Sanford,
Bullard,	James,	Satterlund,
Burkhardt,	Johnson of Sargent,	Simpson,
Churchill,	Johnson of G'd Forks,	Strom,
Cochrane,	Johnston,	Towers,
Deans,	Larson,	Tufts,
Ebbighausen,	McCanna,	Ueland,
Elliott,	McCulloch,	Veeder,
Hagen,	Newman,	Wishek,
Hall,	O'Keefe,	Wright,
Hallum,	Oliver,	Yegen,
Halvorson,	Pierce,	Mr. Speaker.
Hodgson.	Plain.	

Absent and not voting:

Messrs—	Messrs—	Messrs--
Benedict,	Kelly,	Rinde,
Boynton,	Lee,	Ritter
Caldwell,	Levang,	Severson,
Davis,	Logan,	Southard,
Haugen,	Lohnes,	Thexton,
Havrevold,	McArthur,	Thompson,
Holliday,	McLean,	Wallen,
Horgan,	Oksendahl,	Wineman.

Messrs. Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 139,

A bill for an act to appropriate money to compensate the State of South Dakota for keeping, boarding and schooling North Dakota's refractory boys at the South Dakota Reform School,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 45, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hodgson,	Plain,
Bentley,	Horgan.	Sanford,
Bullard,	Hurley,	Satterlund,
Burkhardt,	James,	Strom,
Caldwell,	Johnson of Sargent,	Thexton,
Churchill,	Johnson of G'd Forks,	Thompson,
Cochrane,	Johnston,	Towers,
Deans,	Larson,	Tufts,
Ebbighausen,	Levang,	Ueland,
Hagen,	Logan,	Veeder,
Hall,	McCulloch,	Wineman,
Hallum,	McLean,	Wishek,
Halvorson,	O'Keefe,	Wright,
Haugen,	Oksendahl,	Yegen,
Havrevold,	Pierce,	Mr. Speaker.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Lohnes,	Ritter,
Davis,	McArthur,	Severson,
Elliott,	McCanna,	Simpson,
Holliday,	Newman,	Southard,
Kelly,	Oliver,	Wallen.
Lee,	Rinde,	

Messrs. Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 184,

A bill for an act to amend section 2024 of the Civil Code, being section 4657 of the Compiled Laws, of 1887, in relation to transfers of personal property,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 38, nays 2.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Johnson of Sargent,	Satterlund,
Boynton,	Johnson of G'd Forks,	Strom,
Bullard,	Johnston,	Thexton,
Caldwell,	Kelly,	Thompson,
Cochrane,	Larson,	Tufts,
Deans,	Logan,	Ueland,
Hagen,	McCanna,	Veeder,

Messrs—	Messrs—	Messrs—
Hall,	McCulloch,	Wineman,
Halvorson,	McLean,	Wishek,
Haugen,	O'Keefe,	Wright,
Havrevold,	Oliver,	Yegen.
Horgan,	Pierce,	Mr. Speaker.
Hurley,	Plain,	

Those who voted in the negative:

Messrs—	Messrs—	Messrs—
Burkhardt,	Oskendahl,	Sanford,

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Holliday,	Rinde,
Churchill,	James,	Ritter,
Davis,	Lee,	Severson,
Ebbighausen,	Levang,	Simpson,
Elliott,	Lohnes,	Southard,
Hallum,	McArthur,	Towers,
Hodgson,	Newman,	Wallen,

Messrs. Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

Substitute for Senate Bill No. 76,

A bill for an act for an appropriation for the current and contingent expenses of the Hospital for the Insane at Jamestown,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 42, nays 6.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Holliday,	Plain,
Bentley,	Horgan,	Sanford,
Boynton,	Hurley,	Satterlund,
Bullard,	James,	Simpson,
Burkhardt,	Johnson of Sargent,	Strom,
Churchill,	Johnson of G'd Forks,	Thexton,
Cochrane,	Johnston,	Towers,
Deans,	Larson,	Tufts,
Elliott,	Logan,	Veeder.
Hagen,	Lohnes,	Wineman,
Hall,	McLean,	Wishek.
Halvorson,	O'Keefe,	Wright,
Haugen,	Oliver,	Yegen,
Havrevold,	Pierce,	Mr. Speaker.

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Hallum,	Lee,	Newman,
Hodgson,	Levang,	Oskendahl.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Caldwell,	McCanna,	Southard.
Davis,	McCulloch,	Thompson,

Messrs—	Messrs—	Messrs—
Ebbighausen,	Binde,	Ueland,
Kelly,	Ritter,	Wallen.
McArthur,	Severson.	

Messrs. Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, March 2, 1893.

MR. SPEAKER:

I have the honor to transmit herewith
House Bill No. 241,

A bill for an act to revise and consolidate the Laws of this State providing for the drainage of swamps, marshes and other low lands and to repeal the act of March, one thousand eight hundred eighty-three (Laws of 1883, chapter 75, page 177), and all amendments thereof.

Also,
House Bill No. 46,

A bill for an act to amend section 1 of chapter 25 of the Laws of 1887, being section 5066 of the Compiled Laws.

Also,
Substitute for House Bill No. 30,

A bill for an act to fix the terms of the District Court in the Third Judicial District.

Also,
House Bill No. 90,

A bill for an act to amend article 16 of chapter 73 of the Laws of 1887, being sections 1000, 1001, 1002 to 1007, inclusive, of the Compiled Laws of the State of North Dakota, and to re-enact the same as so amended,

Which the Senate has passed unchanged.

Respectfully,
FRED FALLEY,
Secretary.

Mr. Speaker appointed as assistant enrolling clerks Miss Minnie Nielson, Miss Nellie McDonald, Miss Conway and G. C. Buck.

Senate Bill No. 116,

A bill for an act to provide for the better enforcement of the laws pertaining to cruelty to animals,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 39, nays 5.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Johnson of G'd Forks,	Sanford,
Bentley,	Johnston,	Satterlund,
Bullard,	Levang,	Strom,
Burkhardt,	Logan,	Thexton,
Caldwell,	Lohnes,	Thompson,
Churchill,	McCanna,	Tufts,
Cochrane,	McCulloch,	Ueland,
Elliott,	McLean,	Veeder,
Hall,	Newman,	Wineman,
Halvorson,	O'Keefe,	Wishek.
Horgan,	Oliver,	Wright,
Hurley,	Pierce,	Yegen,
James,	Plain,	Mr. Speaker.

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Deans,	Havrevold,	Oksendahl.
Hagen,	Holliday,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Johnson of Sargent,	Ritter,
Davis,	Kelly,	Severson,
Ebbighausen,	Larson,	Simpson,
Hallum,	Lee,	Southard,
Haugen,	McArthur,	Towers,
Hodgson,	Rinde,	Wallen.

Messrs. Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 173,

A bill for an act to provide for the erection and maintenance of necessary additional buildings at the Mayville and Valley City Normal Schools, and to provide for the issuance of bonds for such purposes by the boards of directors in charge of said Normal Schools,

Was read the third time and placed upon its final passage.

Mr. Havrevold moved

That the further consideration of Senate Bill No. 173 be indefinitely postponed.

Mr. Hurley moved

That the motion to indefinitely postpone be laid upon the table,
Which motion was lost.

- The question recurring upon the motion to indefinitely postpone,
Which motion was lost.

The question being upon the final passage of the bill.

The roll being called there were ayes 34, nays 12.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Bentley,	James,	Simpson,
Boynton,	Johnson of G'd Forks,	Strom,
Bullard,	Kelly,	Towers,
Btrkhardt,	Larson,	Tufts,
Churchill,	Logan,	Veeder,
Elliott,	Lohnes,	Wallen.
Hagen,	O'Keefe,	Wineman,
Hallum,	Oliver,	Wishek,
Halvorson,	Pierce,	Wright,
Haugen,	Sanford,	Yegen,
Horgan,	Satterlund,	Mr. Speaker.
Hurley,		

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Benedict,	Johnson of Sargent,	Oksendahl,
Deans,	Lee,	Thexton,
Havrevold,	Levang,	Thompson,
Hodgson,	Newman,	Ueland.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Caldwell,	Johnston,	Plain,
Cochrane,	McArthur,	Rinde,
Davis,	McCanna,	Ritter,
Ebbighausen,	McCulloch,	Severson,
Hall,	McLean,	Southard,
Holliday,		

Messrs. Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, March 2, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith

House Bill No. 129,

A bill for an act to amend section 137 of chapter 13 of the Laws of 1891.

Also,

House Bill No. 165,

A bill for an act to establish a weather and crop service, the collection and dissemination of crop statistics and meteorological data.

Also,

House Bill No. 100,

A bill for an act providing for the establishment of courts of conciliation, and prescribing the mode of procedure in same,

Also,

House Bill No. 29,

A bill for an act to establish the Thirty-second Senatorial and Legislative District,

Which the Senate has passed unchanged.

Respectfully,
FRED FALLEY,
Secretary.

Mr. Oliver moved

That the House do now take a recess until 1:30 p. m..

Which motion prevailed, and

The House took a recess.

House reassembled at 1:30 p. m.

Mr. Speaker called Mr. Hodgson to the chair.

Senate Bill No. 73,

A bill for an act to amend all of chapters 25, 146, 147 and 148 of the Laws of 1890; and to provide for the management, control and disposal of university, school and all other public lands of the State, and the management of the funds arising therefrom, and making an appropriation therefor,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 50, nays none.

Those who voted in the affirmative were:

Messrs—

Benedict,
Bentley,
Bullard,
Burkhardt,
Caldwell,
Churchill,
Cochrane,
Deans,
Ebbighausen,
Hagen,
Hall,
Hallum,
Halvorson,
Haugen,
Havrevold,
Hodgson,
Holliday,

Messrs—

Horgan,
Hurley,
James,
Johnson of G'd Forks,
Johnston,
Kelly,
Larson,
Levang,
Logan,
Lohnes,
McCanna,
McCulloch,
McLean,
Newman,
O'Keefe,
Oliver,
Pierce,

Messrs—

Plain,
Rinde,
Sanford,
Satterlund,
Simpson,
Strom,
Thexton,
Thompson,
Tufts,
Ueland,
Veeder,
Wallen,
Wishek,
Wright,
Yegen,
Mr. Speaker.

Absent and not voting:

Messrs—

Boynton,
Davis,
Elliott,
Johnson of Sargent,

Messrs—

Lee,
McArthur,
Oksendahl,
Ritter,

Messrs—

Severson,
Southard,
Towers,
Wineman.

Messrs. Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, March 2, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith
House Bill No. 205,

A bill for an act to amend section 510 of the Code of Civil Procedure.

Also,
House Bill No. 120,

A bill for an act to amend sections 1, 6, 8, 13 and 14 of chapter 161 of the Session Laws of 1890, creating an institute for the education of the deaf and dumb of North Dakota, and providing for its support and management.

Also,
House Bill No. 67, *

A bill for an act to amend sections 66 and 67 of chapter 132, Laws of 1890.

Which the Senate has passed unchanged.

Respectfully,
FRED FALLEY,
Secretary.

Senate Bill No. 171,

A bill for an act to provide for the erection of necessary additional buildings for the University of North Dakota at Grand Forks, North Dakota,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 43, nays 6.

Those who voted in the affirmative were:

Messrs—

Bentley,
Boynton,
Bullard,
Burkhardt,
Cochrane,
Ebbighausen,
Hagen,
Hall,
Halvorson,
Haugen,
Havrevold,
Horgan,
Hurley,
James,
Johnson of G'd Forks,

Messrs—

Johnston,
Kelly,
Larson,
Lee,
Levang,
Logan,
Lohnes,
McArthur,
McCanna,
McLean,
O'Keefe,
Oksendahl,
Oliver,
Pierce,

Messrs—

Rinde,
Sanford,
Satterlund,
Simpson,
Strom,
Thexton,
Tufts,
Veeder,
Wallen,
Wineman,
Wishek,
Wright,
Yegen,
Mr. Speaker.

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Deans,	Hodgson,	Plain,
Hallum,	Holliday,	Ueland.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Benedict,	Johnson of Sargent,	Severson,
Caldwell,	McCulloch,	Southard,
Churchill,	Newman,	Thompson,
Davis.	Ritter,	Towers.
Elliott,		

Messrs. Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

EXECUTIVE CHAMBER,)
March 2, 1893.)

To the Honorable House of Representatives:

GENTLEMEN:

I have the honor to inform you that I have this day approved House Bill No. 224,

Entitled an act providing for the compilation, revision and codification of the Laws of North Dakota and the publication and distribution and sale thereof and to repeal chapter 82 of the Laws of 1891 in relation thereto.

Also,

House Bill No. 157,

Entitled an act granting right-of-way to railroad companies through public lands.

Also,

House Bill No. 194,

Entitled an act defining usury and fixing the penalty for taking the same.

Very respectfully,

E. C. D. SHORTRIDGE,
Governor.

Senate Bill No. 99,

A bill for an act regulating the State law library and making an appropriation for the incidental expenses thereof,

Was read the third time and placed upon its final passage.

Mr. Boynton moved

That the further consideration of Senate Bill No. 99 be indefinitely postponed.

Mr. McLean moved

To lay the motion to indefinitely postpone upon the table,

Which motion was lost.

The question recurring upon the motion to indefinitely postpone.

Roll call demanded.

The roll being called there were ayes 31, nays 19.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Boynton,	Johnson of Sargent,	Plain,
Bullard,	Johnson of G'd Forks,	Rinde,
Caldwell,	Johnston,	Sanford,
Churchill,	Larson,	Strom,
Deans,	Lee,	Thompson,
Elliott,	Levang,	Towers,
Hagen,	Logan,	Tufts,
Halvorson,	Lohnes,	Wallen,
Haugen,	McArthur,	Wright,
Havrevold,	Oksendahl,	Yegen.
Hodgson,		

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Burkhardt,	McCanna,	Satterlund,
Cochrane,	McLean,	Simpson,
Ebbighausen,	Newman,	Thexton,
Hall,	O'Keefe,	Veeder,
Horgan,	Oliver,	Wishek,
Hurley,	Pierce,	Mr. Speaker.
James,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Benedict,	Holliday,	Severson,
Bentley,	Kelly,	Southard,
Davis,	McCulloch,	Ueland,
Hallum,	Ritter,	Wineman.

Messrs. Ritter, Severson and Southard being excused.

So the motion to indefinitely postpone prevailed, and the further consideration of the bill was postponed.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, March 2, 1893.

MR. SPEAKER:

I have the honor to transmit herewith

House Bill No. 87,

A bill for an act to provide a suitable residence for the Chief Executive of the State of North Dakota.

Also,

House Bill No. 41,

A bill for an act to amend section 7 of chapter 25 of the General Laws of 1890, entitled "An act providing for the organiza-

tion and fixing and defuting the powers and duties of the Board of University and School Lands, and making an appropriation therefor,"

Which the Senate has passed and your favorable consideration is respectfully requested.

Respectfully,
FRED FALLEY,
Secretary.

Senate Bill No. 132,

A bill for an act authorizing and empowering the acquisition by the State of North Dakota of the parcel of land situated in the county of Pembina, known as the burial ground of the Selkirk settlement, and making an appropriation therefor,

Was read the third time and placed upon its final passage.

Mr. Lohnes moved

That the further consideration of Senate Bill No. 132 be indefinitely postponed.

Mr. McLean moved

That the motion to indefinitely postpone be laid upon the table, Which motion prevailed.

The question being on the final passage of the bill.

The roll being called there were ayes 44, nays 4.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Bentley,	Johnson of Sargent,	Sanford,
Boynton	Johnson of G'd Forks,	Satterlund,
Bullard,	Johnston,	Severson,
Caldwell.	Larson,	Simpson,
Churchill,	Levang,	Strom,
Cochrane,	Logan,	Thexton,
Ebbighausen,	Lohnes,	Towers,
Elliott,	McArthur,	Tufts,
Halvorson,	McCanna,	Wallen,
Haugen,	McLean,	Wineman,
Havrevold,	O'Keefe,	Wishek,
Holliday,	Oksendahl,	Wright,
Horgan,	Oliver,	Yegen,
Hurley,	Plain,	Mr. Speaker.
James,	Rinde,	

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Deans,	Hallum,	Hodgson.
Hagen,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Benedict,	Lee,	Southard,
Burkhardt,	McCulloch,	Thompson,
Davis,	Newman,	Ueland,
Hall,	Pierce,	Veeder.
Kelly,	Ritter,	

Messrs. Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

The following memorial and concurrent resolution was read:

MEMORIAL AND CONCURRENT RESOLUTION.

To the Honorable the Congress of the United States:

WHEREAS, The people of our State and in fact the entire Northwest and West are largely engaged in the raising of grain and use an unlimited amount of binding twine; and,

WHEREAS, We believe that a duty on twine and the fibers out of which the same is manufactured is detrimental to the best interests of the people,

Therefore, be it resolved by the Senate, the House Concurring:

That we request and urge Congress to remove, as soon as possible, the duty on binding twine and on all fibers out of which the same is manufactured.

Resolved, That the Secretary of State, upon the passage of this resolution, be instructed to furnish forthwith one copy hereof to each of our Senators and Representative in Congress.

Mr. Wineman moved

That the memorial and concurrent resolution be adopted,

Which motion prevailed, and

The resolution was adopted.

The following concurrent resolution was read:

CONCURRENT RESOLUTION.

WHEREAS, The citizens of North Dakota, and especially those residing in the sparsely settled districts of the western and northern sections of the State, were thrown into a condition of consternation, excitement and alarm by the threatening and hostile attitude assumed by the religious and fanatically crazed Indians, who, under the influence of Sitting Bull during the winter of 1890 and 1891, caused great disturbance, excited much fear and generally disturbed the peace and quiet of the citizens of North Dakota; and,

WHEREAS, It was thoroughly demonstrated that it was impracticable to even attempt during the severe winter weather to move the citizen soldiery of the State, meagerly equipped as was North Dakota National Guards at that time, owing to previous lack of care on the part of the State, against the well armed and mounted Indians who threatened to engage in the hostilities; and,

WHEREAS, Major General Nelson A. Miles, then in command of this military department of the United States troops, with that characteristic promptness and previously demonstrated perfect appreciation of the dangers to be apprehended from an Indian outbreak which has endeared him to the people of the great Northwest, did, at the loss of precious lives and with intense suffering on the part of the officers and soldiers of his command during the inclement weather of that season of the year, so readily replaced the excited Indians upon their respective reservations, thus allaying the fears of our people and restoring peace and confidence within our borders; therefore,

Be it resolved by the Senate of the Third Legislative Assembly of the State of North Dakota, the House of Representatives concurring:

That the sincere and grateful thanks of the people of the State of North Dakota, through their Representatives in the Legislative Assembly, are hereby tendered to Major-General Nelson A. Miles, his officers and men, for their courage and gallantry exhibited by them on this occasion in so promptly bringing into subjection the hostile and fanatical Indians who

were then promising to menace the lives, prosperity and business of the people of this State, thus further giving evidence of his previously acknowledged military sagacity, and placed the people of the northwest, and particularly those residing in North Dakota, under renewed obligations to himself and the brave officers and men of his command.

Resolved, That the Secretary of State be instructed to transmit a certified copy of the above resolutions to Major-General Nelson A. Miles.

Mr. Oliver moved
That the concurrent resolution be adopted,
Which motion prevailed,
And the resolution was adopted.

The following memorial and concurrent resolution was read:

MEMORIAL AND CONCURRENT RESOLUTION.

To the Honorable the Congress of the United States:

WHEREAS, A burdensome monopoly has grown up in the transmission of news by wire under the name of the Western Union Telegraph company; and

WHEREAS, This mode of communication is as much the medium of communication in our day as the old post system was in the early days of the republic; and

WHEREAS, It is reasonably certain that a monopoly is being formed, and in fact now exists, in the transmission of news by wire; and

WHEREAS, We believe that this medium for the transmission of news should belong to the people so that all could share equally in this privilege at the lowest possible charge; therefore, be it

Resolved by the Senate, the House concurring, That Congress be requested and urged to secure governmental control of telegraph lines, and to secure the establishment by the government of lines of telegraph to the various centers of trade in the nation.

Resolved. That upon the passage of this resolution, the Secretary of State be instructed to furnish forthwith one copy to each of our Senators and Representative in Congress.

Mr. Hagen moved
The adoption of the memorial and concurrent resolution,
Which motion prevailed, and
The memorial and concurrent resolution was adopted.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, March 2, 1893.

MR. SPEAKER:

I have the honor to return to the House the concurrent resolution relating to the amendment of the constitution repealing article 20,

Which has been indefinitely postponed by the Senate.

Respectfully,
FRED FALLEY,
Secretary.

(Senate Bill No. 164.)

CONCURRENT RESOLUTION

To amend subdivision eight of section 215 of article 19 of the constitution of the State of North Dakota.

Be it resolved by the Senate, the House of Representatives concurring:

SECTION 1. That the following amendment of subdivision eight of section 215 of article 19 of the constitution of the State of North Dakota be referred to the next Legislative Assembly of this State, to be by said Legislative Assembly submitted to the people of this State for adoption or rejection, in accordance with the provisions of section 202 of article 15 of the constitution of the State of North Dakota.

SEC. 2. That subdivision eight of section 215 of the Constitution of the State of North Dakota be amended so as to read as follows:

(Subdivision eight.) A State hospital for the insane at the city of Jamestown, in the county of Stutsman, and an institution for the feeble minded at or near the city of Grafton in the county of Walsh, and the Legislative Assembly shall appropriate 20,000 acres of the grant of land made by act of Congress aforesaid for "other educational and charitable institutions" to the benefit and for the endowment of said institutions in equal division of said land.

Was read and

The question being upon the adoption of the concurrent resolution.

The roll being called there were ayes 39, nays 11.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Bentley,	Hurley,	Pierce,
Bullard,	James,	Plain,
Caldwell,	Johnson of G'd Forks,	Rinde,
Churchill,	Johnston,	Satterlund,
Cochrane,	Kelly,	Severson,
Deans,	Larson,	Strom,
Ebbighausen,	Lee,	Thexton,
Elliott,	Levang,	Tufts,
Halvorson,	McArthur,	Wallen,
Haugen,	McCanna,	Wineman,
Havrevold,	Newman,	Wishek,
Holliday,	O'Keefe,	Yegen,
Horgan,	Oksendahl,	Mr. Speaker.

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Boynton,	Lohnes,	Thompson,
Burkhardt,	McCulloch,	Ueland,
Hagen,	McLean,	Wright.
Hall,	Sanford,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Benedict,	Johnson of Sargent,	Simpson,
Davis,	Logan,	Southard,
Hallum,	Oliver,	Towers,
Hodgson,	Ritter,	Veeder.

Messrs. Ritter, Severson and Southard being excused.

So the concurrent resolution was adopted.

The following memorial and concurrent resolution was read:

MEMORIAL AND CONCURRENT RESOLUTION.

To the Honorable the Congress of the United States:

Resolved, by the Senate, the House of Representatives Concurring:

WHEREAS, Under section 15 of the Enabling Act there was granted to the State of North Dakota \$30,000 for the purpose of erecting a penitentiary; and,

WHEREAS, By a subsequent act of Congress the location of said penitentiary was placed at or near the city of Grafton, in the county of Walsh, and forty acres of valuable land purchased therefor; and,

WHEREAS, The State of North Dakota has ample accommodation for State prison purposes for the next ten years by an occasional small outlay; and,

WHEREAS, There is now no building or department provided by the State for the care of the feeble-minded; and,

WHEREAS, The superintendent of the Hospital for the Insane, in his report ending October 31, 1892, to the Governor says: "The State of North Dakota has at least 150 feeble-minded children of teachable age who, if left to grow up without that care and system to be found in regular institutions, will become dangerous persons, as well to themselves as to society and the State, and will remain a burden to themselves, relatives and our Commonwealth, to say nothing of the strong possibilities of propagating children of the same or more wretched mental and physical conditions;" and,

WHEREAS, The State is asked to make an expenditure of at least \$15,000 or \$20,000 for suitable buildings for these unfortunates, to which, at present, it is unable to respond owing to the large appropriations required for permanent improvements and the maintenance of the many other State institutions, in connection with the cost of government; therefore, be it

Resolved, That it is the sense of the Legislative Assembly of the State of North Dakota that the \$30,000 granted in section 15 of the Enabling Act should be expended, and as early as possible, in the construction of an institution for the feeble-minded instead of a penitentiary; and,

Resolved, That the Secretary of the Interior be earnestly requested to change the plans for the expenditure of the balance of said grant from a penitentiary to an institution for the feeble-minded, to be located on the grounds already purchased at or near the city of Grafton, in the county of Walsh, agreeable to the State Constitution now being amended; and, be it further

Resolved, That upon the passage of this Memorial the Secretary of State be instructed to at once forward attested copies of the same, one to the Secretary of the Interior and one to each of our Senators and Representative in Congress, and that our delegation in Congress be requested to labor for the accomplishment of the object sought in this memorial.

Mr. McCanna moved

That the Concurrent Resolution be adopted,

Which motion prevailed and the Concurrent Resolution was adopted.

Senate Bill No. 123,

A bill for an act to establish a school of mines at the city of Grand Forks and to provide for its support and management and creating the office of State Geologist,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 33, nays 18.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Bentley,	Johnson of G'd Forks,	Satterlund,
Burkhardt,	Johnston,	Simpson,
Cochrane,	Larson,	Strom,
Ebbighausen,	Lee,	Thexton,
Elliott,	Levang,	Ueland,
Hall,	McCanna,	Veeder,
Halvorson,	McLean,	Wallen,
Haugen,	O'Keefe,	Wineman,
Havrevold,	Pierce,	Wishek,
Horgan,	Plain,	Yegen,
James,	Rinde,	Mr. Speaker.

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hallum,	Oliver,
Boynton,	Hodgson,	Sanford,
Bullard,	Lohnes,	Severson,
Churchill,	McArthur,	Thompson,
Deans,	McCulloch,	Towers,
Hagen,	Newman,	Tufts.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Caldwell,	Johnson of Sargent,	Ritter,
Davis,	Kelly,	Southard,
Holliday,	Logan,	Wright.
Hurley,	Oksendahl,	

Messrs. Ritter and Southard being excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, March 2, 1893.

MR. SPEAKER:

I have the honor to transmit herewith
House Bill No. 131,

A bill for an act to amend and re-enact chapter 140 of the Laws
of 1890.

Also,
House Bill No. 133,

A bill for an act to amend and re-enact sections 2, 6 and 7 of
article 9 of chapter 73 of the Laws of 1887, being sections 917,
921 and 922 of the Compiled Laws,

Which the Senate has passed and your favorable consideration
thereof is respectfully requested.

Respectfully,
FRED FALLEY,
Secretary.

Senate Bill No. 95,

A bill for an act fixing the salaries of the judges of the district courts,

Was read the third time and placed upon its final passage.

The question being on the final passage of the bill.

The roll being called there were ayes 35, nays 10.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	James,	Pierce,
Bentley.	Johnson of G'd Forks,	Plain,
Boynton,	Johnston,	Satterlund,
Bullard,	Kelly,	Simpson,
Burkhardt,	Larson,	Thexton,
Caldwell,	Levang,	Tufts,
Churchill,	McArthur,	Veeder,
Cochrane,	McCanna,	Wineman,
Deans,	McLean,	Wishek,
Ebbighausen,	Newman,	Yegen,
Hall,	O'Keefe,	Mr. Speaker.
Halvorson,	Oliver,	

Those voting in the negative were:

Messrs—	Messrs—	Messrs—
Hagen,	McCulloch.	Severson,
Hallum,	Rinde,	Towers,
Hurley,	Sanford,	Ueland.
Lohnes,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Davis,	Horgan,	Southard,
Elliott,	Johnson of Sargent,	Strom,
Haugen,	Lee,	Thompson,
Havrevold,	Logan,	Wallen,
Hodgson,	Oksendahl,	Wright.
Holliday,	Ritter,	

Messrs. Ritter, Severson and Southard being excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, March 2, 1893.

MR. SPEAKER:

I have the honor to transmit herewith
House Bill No. 7,

A bill for an act to require the county treasurers to deposit the county funds in designated depositories,

Which the Senate has passed with the following amendments:

Amend the title by adding thereto the following: "And repealing chapter 20 of the Special Laws of Dakota Territory for the year 1885."

Amend section 3, written bill, by striking out the figure "4" and inserting in lieu thereof the figure "5."

Amend section 3, same bill, line 13, by striking out the word "daily," and all following on the same line, and inserting in lieu thereof "the minimum deposit during the month."

Amend section 7, same bill, line 8, by striking out the word "four" and inserting in lieu thereof the word "three." Also strike out the first three words in line 9, same section, as follows, "On daily balances."

Amend section 14 by adding the following after the word "repealed:" "And especially chapter 20 of the Special Laws of Dakota Territory for the year 1885."

And your concurrence therein is respectfully requested.

FRED FALLEY,
Secretary.

Mr. Oliver moved

That the House do not concur in the Senate amendments to House Bill No. 7, and that a conference committee of three be appointed,

Which motion prevailed.

Mr. Speaker appointed as the Conference Committee on House Bill No. 7, Messrs. Ueland, Wineman and Oliver.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER, }
Bismarck, March 2, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith
House Bill No. 189,

A bill for an act to amend sections 3, 5, 8, 10, 11 and 12 of chapter — of the Laws of 1890, entitled "An act to regulate the practice of pharmacy, the licensing of persons to carry on such practice and the sale of poisons in the State of North Dakota."

Also,

Substitute for House Bill No. 43,

A bill for an act providing for an appropriation for the payment of the salary of the secretary and the mileage and expenses of the Commissioners of the Soldiers' Home for the two years ending December 31, 1892,

Which the Senate has passed unchanged.

Respectfully,
FRED FALLEY,
Secretary.

Mr. Speaker announced his signature to
Senate Bill No. 46,

A bill for an act for the encouragement of higher education and appropriating money therefor.

Also,

Senate Bill No. 116,

A bill for an act to provide for the better enforcement of the laws punishing cruelty to animals.

Also,

Senate Bill No. 119,

A bill for an act appropriating money to insure a proper exhibit of North Dakota's resources at the Columbian Exposition, to be held at Chicago in 1893.

Also,

Senate Bill No. 102,

A bill for an act to promote the improvement and growth of the Volunteer Firemen's Association of the State of North Dakota, to increase its usefulness and efficiency, and making an appropriation therefor.

Also,

Concurrent Resolution vesting exhibits at the World's Columbian Exposition in the State Board of Agriculture.

Also,

Senate Bill No. 63.

A bill for an act appropriating money from the State Treasury, not otherwise appropriated, to reimburse the county of Ward for money paid by said county in the holding of coroners' inquests, in the expense of criminal trials, and in assessing and collecting the State tax, in the unorganized counties of Buford, Montrail, Flannery and Renville, in the years 1890, 1891 and 1892.

Senate Bill No. 42,

A bill for an act defining the boundaries of the Second Judicial District, subdividing the same and fixing the terms of court to be held therein,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 45, nays none.

Those who voted in the affirmative were:

Messrs—

Benedict,
Bentley,
Bullard,
Burkhardt,
Caldwell,
Cochrane,
Deans,
Ebbighausen,
Hagen,
Hall,
Hallum,
Halvorson,
Haugen,

Messrs—

Hurley,
James,
Johnson of G'd Forks,
Kelly,
Larson,
Levang,
Logan,
Lohnes,
McArthur,
McCanna,
O'Keefe,
Oksendahl,
Oliver,

Messrs—

Rinde,
Sanford,
Satterlund,
Simpson,
Strom,
Thexton,
Tufts,
Towers,
Ueland,
Wallen,
Wineman,
Wishek,
Wright,

Messrs—
Hodgson,
Horgan,

Messrs—
Pierce,
Plain,

Messrs—
Yegen,
Mr. Speaker.

Absent and not voting:

Messrs—
Boynton,
Churchill,
Davis,
Elliott,
Havrevold,
Holliday,

Messrs—
Johnson of Sargent,
Johnston,
Lee,
McCulloch,
McLean,
Newman,

Messrs—
Ritter.
Severson,
Southard,
Thompson,
Veeder.

Messrs. Ritter and Southard being excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, March 2, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith
House Bill No. 119,

A bill for an act to amend section 1 of chapter 42 of the Session Laws of 1889, being an act authorizing and empowering organized counties of North Dakota to erect county buildings for court house and jail purposes, and to issue and dispose of bonds to provide funds to pay therefor, and to provide for the payment of the principal and interest of such bonds.

Also,
House Bill No. 246,

A bill for an act authorizing the refunding of outstanding city bonds and warrants,

Which the Senate has passed unchanged.

Respectfully,

FRED FALLEY,
Secretary.

REPORT OF SPECIAL COMMITTEE.

The special committee known as the Steering Committee make the following report:

MR. SPEAKER:

Your special committee, known as the Steering Committee, beg leave to report at this time that they have had under consideration the proposed amendment to the constitution to extend the right of suffrage to women, and recommend that the same be made a special order for tomorrow (Friday), March 3, at 2 p. m., at which time we respectfully recommend, also, that the rules be suspended, and that the usual courtesies granted to visitors in the gallery and

lobbies be extended to every portion of the house; in fact, Mr. Speaker, that you announce that this will be a regular matinee event, and that all ladies and others interested are invited to be present without money and without price.

H. S. OLIVER,
Chairman.

Mr. Hurley moved
That the House adopt the report of the committee,
Which motion prevailed, and
The report was adopted.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, March 2, 1893.

MR. SPEAKER:

I have the honor to transmit herewith
House Bill No. 200,
A bill for an act to re-enact section 779 and subdivision 5 of section 779 of the Civil Code.

Also,
House Bill No. 191,
A bill for an act to amend section 60 of chapter 86 of the Laws of 1891, entitled "An act to provide a military code for the State of North Dakota,"

Which the Senate has passed unchanged.

Respectfully,
FRED FALLEY,
Secretary.

The Committee on Enrolled Bills made the following report:

MR. SPEAKER:

Your Committee on Enrolled Bills report that they have delivered to the Secretary of State the following:

A joint memorial requesting the passage of a graduated income tax law.

Also,
A concurrent resolution to the Congress of the United States praying for an amendment to the law regulating the allotment of the national militia fund.

ARNE P. HAUGEN,
Chairman.

The Committee on Enrolled Bills made the following report:

MR. SPEAKER:

Your Committee on Enrolled Bills have examined
House Bill No. 87,

A bill for an act authorizing a board consisting of the Governor, Attorney General and State Auditor to purchase or erect a suitable residence for the Chief executive and to furnish the same,
And find the same correctly enrolled.

ARNE P. HAUGEN,
Chairman.

Senate Bill No. 11,

A bill for an act authorizing county commissioners to establish, in suitable location, public scales and regulating the appointment and duties of public weighmaster,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 44, nays 2.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Bentley,	Johnston,	Severson,
Boynton,	Kelly,	Simpson,
Burkhardt,	Larson,	Strom,
Caldwell,	Lee,	Thexton,
Cochrane,	Levang,	Thompson,
Ebbighausen,	Lohnes,	Towers,
Elliott,	McCanna,	Ueland,
Hagen,	McCulloch,	Veeder,
Halvorson,	Oksendahl,	Wallen,
Havrevold,	Oliver,	Wineman,
Hodgson,	Pierce,	Wishek,
Holliday,	Plain,	Wright,
Hurley,	Rinde,	Yegen,
Johnson of Sargent,	Sanford,	Mr. Speaker.
Johnson of G'd Forks,	Satterlund,	

Messrs. Bullard and James voting in the negative.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Benedict,	Haugen,	Newman,
Churchill,	Horgan,	O'Keefe,
Davis,	Logan,	Ritter,
Deans,	McArthur,	Southard,
Hall,	McLean,	Tufts,
Hallum,		

Messrs. Ritter and Southard being excused.

So the bill passed and the title was agreed to.

Mr. Speaker announced his signature to
House Bill No. 87,

A bill for an act to provide a suitable residence for the Chief Executive of the State of North Dakota.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, March 2, 1893.

MR. SPEAKER:

I have the honor to inform you that the Senate has appointed Messrs. Kinter, Pinkham and Young as the Senate members of the Conference Committee to consider House Bill No. 7.

Respectfully,
FRED FALLEY.

Senate Bill No. 109,

A bill for an act to amend section 45 of chapter 62 of the General Laws of 1890,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

Mr. Speaker called Mr. Wineman to the chair.

The roll being called there were ayes 44, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Bentley,	James,	Pierce,
Benedict,	Johnson of Sargent,	Plain,
Bullard,	Johnston,	Sanford.
Burkhardt,	Larson,	Thexton,
Caldwell,	Lee,	Thompson,
Churchill,	Levang,	Towers,
Cochrane,	Logan,	Tufts,
Deans,	Lohnes,	Ueland,
Hagen,	McArthur,	Veeder,
Hall,	McCanna,	Wineman,
Hallum,	McCulloch,	Wishek,
Halvorson,	Newman,	Wright,
Havrevold,	O'Keefe,	Yegen,
Holliday,	Oksendahl,	Mr. Speaker.
Hurley,	Oliver,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Horgan,	Satterlund,
Davis,	Johnson of G'd Forks,	Severson,
Ebbighausen,	Kelly,	Simpson,
Elliott,	McLean,	Southard,
Haugen,	Rinde,	Strom,
Hodgson,	Ritter,	Wallen.

Messrs. Ritter and Southard being excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, March 2, 1893.

MR. SPEAKER:

I have the honor to transmit herewith House Bill No. 22,

A bill for an act entitled "An act exempting volunteer firemen from jury duty and from paying poll tax."

Also,

Substitute for House Bill No. 2,

A bill for an act to provide a procedure for the condemnation of public warehouse sites on the right of way of railways,

Which the Senate has passed unchanged.

FRED FALLEY,
Secretary.

Senate Bill No. 177,

A bill for an act authorizing corporations to change their names,
Was read the third time and placed upon its final passage.

The question being on the final passage of the bill.

The roll being called there were ayes 33, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hurley,	O'Keefe,
Bullard,	James,	Oliver,
Burkhardt,	Johnson of Sargent,	Pierce,
Churchill,	Johnson of G'd Forks,	Plain,
Cochrane,	Johnston,	Rinde,
Elliott,	Larson,	Thexton,
Hagen,	Logan,	Tufts,
Hallum,	Lohnes,	Ueland,
Halvorson,	McArthur,	Veeder,
Havrevold,	McCanna,	Wineman,
Holliday,	Newman,	Wright.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Kelly,	Simpson,
Boynnton,	Lee,	Southard,
Caldwell,	Levang,	Strom,
Davis,	McCulloch,	Thompson
Deans,	McLean,	Towers,
Ebbighausen,	Oksendahl,	Wallen,
Hall,	Ritter.	Wishek,
Haugen,	Sanford,	Yegen,
Hodgson,	Satterlund,	Mr. Speaker.
Horgan,	Severson,	

Messrs. Ritter and Southard being excused.

So the bill passed and the title was agreed to.

Mr. Speaker called Mr. Havrevold to the chair.

Mr. Wineman moved

That a committee of three be appointed to wait upon the Senate to ascertain whether that body will hold an evening session or not,

Which motion prevailed, and

Mr. Speaker appointed Messrs. Yegen, Veeder and Oksendahl as such committee.

The Committee on Enrolled Bills made the following report:

MR. SPEAKER:

Your Committee on Enrolled Bills report that at the hour of three o'clock and twenty minutes they delivered to the Governor, for his approval,

House Bill No. 87,

A bill for an act authorizing a board consisting of the Governor, Attorney General and State Auditor to purchase or erect a suitable residence for the Chief Executive and to furnish the same.

ARNE P. HAUGEN,
Chairman.

Senate Bill No. 110,

A bill for an act to confirm the sale of 71,809.67 acres of university and school lands located in the counties of Pembina, Walsh, Grand Forks, Traill, Cass and Richland, of this State, to cure any alleged defects of title that may arise from the said sales having been made in April, 1892, instead of between April 15, 1891, and June 1, 1891, as required by chapter 146 of the Session Laws of 1890,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 43, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	James,	Plain,
Bullard,	Johnson of Sargent,	Rinde,
Burkhardt,	Johnson of G'd Forks,	Sanford,
Caldwell,	Johnston,	Strom,
Churchill,	Kelly,	Thexton,
Cochrane,	Larson,	Thompson,
Deans,	Levang,	Towers,
Elliott,	Logan,	Tufts,
Hagen,	McArthur,	Veeder,
Halvorson,	McCanna,	Wallen,
Haugen,	McCulloch,	Wishek,
Havrevold,	Newman,	Wright,
Hodgson,	O'Keefe,	Yegen,
Holliday,	Pierce,	Mr. Speaker.
Hurley,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Lee,	Satterlund,
Boynton,	Lohnes,	Severson,
Davis,	McLean,	Simpson,
Ebbighausen,	Oksendahl,	Southard,
Hall,	Oliver,	Ueland,
Hallum,	Ritter,	Wineman.
Horgan,		

Messrs. Ritter and Southard being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 163,

A bill for an act constituting the Commissioner of Irrigation and Forestry the Fish and Game Commissioner of North Dakota,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 44, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	James,	Oksendahl,
Bentley,	Johnson of Sargent,	Pierce,
Bullard,	Johnson of G'd Forks,	Plain,
Burkhardt,	Johnston,	Rinde,
Caldwell,	Kelly,	Satterlund,
Churchill,	Larson,	Simpson,
Cochrane,	Lee,	Strom,
Deans,	Levang,	Thompson.
Elliott,	Logan,	Towers,
Hallum,	Lohnes,	Veeder,
Haugen,	McArthur,	Wishek,
Havrevold,	McCanna,	Wright,
Hodgson,	McLean,	Yegen,
Holliday,	Newman,	Mr. Speaker.
Hurley,	O'Keefe,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Horgan,	Southard,
Davis,	McCulloch,	Thexton,
Ebbighausen,	Oliver,	Tufts,
Hagen,	Ritter,	Ueland,
Hall,	Sanford,	Wallen,
Halvorson,	Severson,	Wineman.

Messrs. Ritter and Southard being excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, March 2, 1893.

MR. PRESIDENT:

I have the honor to transmit herewith
House Bill No. 78,

A bill for an act to enable county commissioners to present the listing, assessment, advertisement and selling at tax sales of lots according to their subdivisional description in certain cases.

Also,

House Bill No. 55,

A bill for an act providing for a State Examiner, defining the duties and fixing his compensation and bond,

Which the Senate has passed unchanged.

FRED FALLEY,
Secretary.

Senate Bill No. 27,

A bill for an act to amend section 1 of chapter 35 of the Laws of 1887, relating to corporations, being section 2900 of the Compiled Laws, as to purposes for which private corporations may be formed,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 31, nays 1.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	James,	Simpson,
Bentley,	Johnson of Sargent,	Strom,
Bullard,	Kelly,	Thexton.
Churchill,	Levang,	Thompson,
Cochrane,	McCanna,	Towers,
Deans,	Newman,	Veeder,
Hallum,	O'Keefe,	Wishek,
Halvorson,	Pierce,	Wright,
Havrevold,	Rinde,	Yegen,
Hodgson,	Satterlund,	Mr. Speaker.
Hurley,		

Mr. McLean voting in the negative.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Holliday,	Oliver,
Burkhardt,	Johnson of G'd Forks,	Plain,
Caldwell,	Johnston,	Ritter,
Davis,	Larson,	Sanford,
Ebbighausen,	Lee,	Severson,
Elliott,	Logan,	Southard,
Hagen,	Lohnes,	Tufts,
Hall,	McArthur,	Ueland,
Haugen,	McCulloch,	Wallen,
Horgan,	Oksendahl,	Wineman.

Messrs. Ritter and Southard being excused.

So the bill was lost, a majority of the members-elect and voting not voting therefor.

Mr. Simpson moved

That the vote by which House Bill No. 27 was lost be reconsidered,

Which motion prevailed, and

The vote was reconsidered.

Mr. Bentley moved

That the House proceed to ballot upon Senate Bill No. 27,

Which motion prevailed, and

The House proceeded to ballot.

The question being upon the final passage of the bill.

The roll being called there were ayes 45, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Horgan,	Plain,
Bentley,	Hurley,	Rinde,
Boynton,	James,	Satterlund,
Bullard,	Johnson of Sargent,	Severson,
Burkhardt,	Johnson of G'd Forks,	Simpson,
Churchill,	Johnston,	Strom,
Cochrane,	Kelly,	Thexton,
Deans,	Larson,	Thompson.
Elliott,	Levang,	Towers,
Hagen,	McArthur,	Veeder,
Hallum,	McCanna,	Wallen,
Halvorson,	McCulloch,	Wishek,
Havrevold,	Newman,	Wright,
Hodgson,	Oksendahl,	Yegen,
Holliday,	Pierce,	Mr. Speaker.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Caldwell,	Logan,	Sanford,
Davis,	Lohnes,	Southard,
Ebbighausen,	McLean,	Tufts,
Hall,	O'Keefe,	Ueland,
Haugen,	Oliver,	Wineman.
Lee,	Ritter.	

Messrs. Ritter and Southard being excused.

So the bill as amended passed and the title was agreed to.

Mr. Newman moved

That the House recall from the Senate the Concurrent Resolution providing for turning over the World's Fair Exhibit to the State Board of Agriculture,

Which motion prevailed.

Mr. Speaker announced an informal recess.

House called to order.

The Committee on Enrolled Bills made the following report:

MR. SPEAKER:

Your Committee on Enrolled Bills have examined

House Bill No. 165,

A bill for an act to establish a weather and crop service for the collection and dissemination of crop statistics and meteorological data.

Also,

House Bill No. 67,

A bill for an act to amend sections 66 and 67 of chapter 132 of the Laws of 1890.

Also,

House Bill No. 100,

A bill for an act providing for the establishment of courts of conciliation and prescribing the mode of procedure in the same.

Also,

House Bill No. 129,

A bill for an act to amend section 137 of chapter 62 of the Laws of 1890 as amended by section 27 of chapter 56 of the Laws of 1891 of the State of North Dakota.

Also,

House Bill No. 127,

A bill for an act to establish an experimental station for the purposes of irrigation.

Also,

House Bill No. 29,

A bill for an act to establish the Thirty-Second Senatorial and Legislative Districts and to increase the Legislative membership in the Twelfth District.

Also,

House Bill No. 214,

A bill for an act to provide for the trial causes tried by the district court without a jury and for the hearing of such actions on appeal.

Also,

Substitute for House Bill No. 30,

And find the same correctly enrolled.

ARNE P. HAUGEN,
Chairman.

Also,

House Bill No. 46,

A bill for an act to amend section 1 of chapter 25 of the Laws of 1887, entitled "An act to amend sections 266 and 268 of chapter 12 of the Code of Civil Procedure, relating to trials and judgments in civil action, the same being section 5066 of the Compiled Laws."

Also,

House Bill No. 205,

A bill for an act to amend section 510 of the Code of Civil Procedure (Compiled Laws 5324),

And find the same correctly enrolled.

ARNE P. HAUGEN,
Chairman.

Report of Conference Committee on House Bill No. 7:

Your Committee of Conference on House Bill No. 7 respectfully recommend that the House concur in Senate amendments to House Bill No. 7,

A bill for an act to require the county treasurers to deposit the county funds in designated depositories.

That the Senate recede from its amendments to section 3, changing figure "4" to "5."

That the House concur in balance of Senate amendments to bill.

F. M. KINTER,
N. B. PINKHAM,
E. YOUNG,
L. A. UELAND,
H. S. OLIVER,
J. B. WINEMAN.

There being no objections, the report was adopted.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER, }
Bismarck, March 2, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith
House Bill No. 98,

A bill for an act providing for the removal of obstructions to
natural waterways.

Also,

House Bill No. 186,

A bill for an act entitled "An act to provide for and establish
an industrial school and school for manual training at Ellendale,
in the county of Dickey and State of North Dakota, as provided
for in subdivision 3 of section 16 of the Constitution of this State,

Which the Senate has passed unchanged.

FRED FALLEY,
Secretary.

Mr. Ueland moved

That the House concur in the Senate amendments to House
Bill No. 7,

Which motion prevailed.

Mr. Speaker announced his signature to

House Bills Nos. 100, 129, 165, 29, 127, 214, 46, 205 and 67.

Also,

Senate Bills Nos. 132, 139, 76, 34, 184, 171, 173 and 95.

Also,

To a Concurrent Resolution asking for removal of duties on
binding twine.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

SENATE CHAMBER, }
Bismarck, March 2, 1893. }

MR. SPEAKER:

I have the pleasure to inform you that the Senate has concurred
in the House amendments to Senate Bill No. 27.

MR. SPEAKER:

I have also the honor to transmit herewith
House Bill No. 40,

A bill for an act to reimburse Lieut. Leon S. Roudiez for room
rent,

Which the Senate has passed without change.

Also,

Substitute for House Bill No. 14,

A bill for an act to amend and re-enact sections 248 and 249 of
the Code of Civil Procedure, being sections 5048 and 5049 of the
Compiled Laws,

Which the Senate has passed with the following amendment:

Insert at the end of section 2 the following: *Provided*, That the official
stenographer shall receive for writing out such instructions the same fees
as for making transcripts; and, *Provided further*, That when oral instruc-
tions are given, the jury shall not take the charge in their retirement, unless
so ordered by the court,

And your concurrence is respectfully requested.

Respectfully,

FRED FALLEY,
Secretary.

Mr. Oliver moved

That the vote by which the House concurred in the Senate
amendments to House Bill No. 7 be reconsidered,

Which motion prevailed.

Mr. Oliver moved

That the House concur in the Senate amendments to the bill
as originally messaged to the House,

Which motion prevailed.

The question being upon the passage of
House Bill No. 7,

A bill for an act to require the county treasurers to deposit the
county funds in designated depositories,

As amended by the Senate.

The roll being called there were ayes 51, nays none.

Those who voted in the affirmative were:

Messrs—

Bentley,
Bullard,
Boynton,
Burkhardt,
Caldwell,
Churchill,
Cochrane,
Ebbighausen,
Elliott,
Hagen,
Hall,

Messrs—

Hurley,
James,
Johnson of Sargent,
Johnson of G'd Forks,
Johnston,
Kelly,
Larson,
Lee,
Levang,
Logan,
McArthur,

Messrs—

Pierce,
Plain,
Rinde,
Sanford,
Satterlund,
Severson,
Simpson,
Strom,
Thexton,
Thompson,
Towers,

Messrs— Hallum, Halvorson, Havrevold, Hodgson, Holliday, Horgan,	Messrs— McCanna, McLean, Newman, O'Keefe, Oksendahl, Oliver,	Messrs— Ueland, Veeder, Wallen, Wright, Yegen, Mr. Speaker.
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Absent and not voting:

Messrs— Benedict, Davis, Deans, Haugen,	Messrs— Lohnes, McCulloch, Ritter, Southard,	Messrs— Tufts, Wineman, Wishek.
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Messrs Ritter and Southard being excused.

So the bill passed as originally amended by the Senate and the title was agreed to.

Mr. Newman moved

That House Bill No. 14 be returned to the Senate for correction,

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, March 2, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith
House Bill No. 62,

A bill for an act providing an appropriation for the manufacture of potato starch in the State of North Dakota,

Which the Senate has passed unchanged.

Also,

House Bill No. 74,

A bill for an act to require all railways in this State to run a train for freight and passenger traffic over their roads and all lines and branches thereof during each week day of the year,

Which the Senate has passed with the following amendment:

Amend section 1 by striking out the words "which has been constructed for at least four years," and add in lieu thereof the words, "the receipts of which are sufficient to pay the running and operating expenses of the road,"

And the concurrence of the House therein is respectfully requested.

FRED FALLEY,
Secretary.

Senate Bill No. 93,

A bill for an act to amend section 9 of chapter 24 of the Political Code, being section 1030 of the Compiled Laws, as to the incorporation of towns,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 44, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hurley,	Rinde,
Bentley,	James,	Sanford,
Bullard,	Johnson of Sargent,	Satterlund,
Caldwell,	Johnston,	Simpson,
Churchill,	Larson,	Thexton,
Cochrane,	Levang,	Thompson,
Deans,	Logan,	Towers,
Ebbighausen,	Lohnes,	Ueland,
Hagen,	McArthur,	Veeder,
Hallum,	McCanna,	Wallen,
Halvorson,	McLean,	Wishek,
Havrevold,	Newman,	Wright,
Hodgson,	O'Keefe,	Yegen,
Holliday,	Oksendahl,	Mr. Speaker.
Horgan,	Pierce,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
McCulloch,	Tufts,	Hall,
Oliver,	Wineman,	Haugen,
Plain,	Boynton,	Johnson of G'd Forks,
Ritter,	Burkhardt,	Kelly,
Severson,	Davis,	Lee.
Southard,	Elliott,	

Messrs. Ritter and Southard being excused.

So the bill passed and the title was agreed to.

Mr. McCanna moved

That the House concur in Senate amendments to House Bill No. 74,

Which motion prevailed.

The question being upon the passage of House Bill No, 74,

A bill for an act to require all railways in this State to run a train for freight and passenger traffic over their roads and all lines and branches thereof during each week day of the year,

As amended by the Senate.

The roll being called there were ayes 48, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	James,	Sanford,
Bentley,	Johnson of Sargent,	Satterlund,
Bullard,	Johnson of G'd Forks,	Severson,
Burkhardt,	Johnston,	Simpson,
Caldwell,	Kelly,	Strom,
Churchill,	Larson,	Thexton,
Cochrane,	Levang,	Thompson,

Messrs—	Messrs—	Messrs—
Ebbighausen,	Logan,	Towers,
Elliott,	Lohnes,	Tufts,
Hagen,	McCanna,	Ueland,
Hall,	McCulloch,	Veeder,
Halvorson,	McLean,	Wallen,
Havrevold,	O'Keefe,	Wishek,
Hodgson,	Oksendahl,	Wright,
Holliday,	Pierce,	Yegen.
Horgan,	Rinde,	Mr. Speaker.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Hurley,	Plain,
Davis,	Lee,	Ritter,'
Deans,	McArthur,	Southard,
Hallum,	Newman,	Wineman.
Haugen,	Oliver,	

Messrs. Ritter and Southard being excused.

So the bill passed as amended by the Senate and the title was agreed to.

Mr. Newman moved

That the House concur in the Senate amendment to House Bill No. 14,

Which motion prevailed.

The question being upon the passage of House Bill No. 14,

An act amending sections 5048 and 5049, Compiled Laws of 1887, relating to trials,

As amended by the Senate.

The roll being called there were ayes 43, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Johnson of G'd Forks,	Rinde,
Bentley,	Johnston,	Sanford,
Burkhardt,	Kelly,	Satterlund,
Cochrane,	Larson,	Severson,
Ebbighausen,	Levang,	Simpson,
Hagen,	Logan,	Strom,
Hallum,	Lohnes,	Thexton,
Halvorson,	McArthur,	Thompson,
Havrevold,	McCulloch,	Towers,
Hodgson,	McLean,	Ueland,
Holliday,	Newman,	Veeder,
Horgan,	O'Keefe,	Wright,
Hurley,	Pierce,	Yegen,
James,	Plain,	Mr. Speaker.
Johnson of Sargent,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Hall,	Ritter,
Bullard,	Haugen,	Southard,
Caldwell,	Lee,	Tufts,

Messrs—	Messrs—	Messrs—
Churchill,	McCanna,	Wallen,
Davis,	Oskendahl,	Wineman,
Deans,	Oliver,	Wishek.
Elliott,		

Messrs. Ritter and Southard being excused.

So the bill passed as amended by the Senate and the title was agreed to.

The committee to wait upon the Senate to learn whether or not the Senate would hold a session this evening reported that the Senate had adjourned until 10 o'clock tomorrow morning.

Senate Bill No. 66,

A bill for an act relating to the sale of city, town and village water works,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 41, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hodgson,	Plain,
Bentley,	Hurley,	Rinde,
Bullard,	James,	Sanford,
Burkhardt,	Johnson of Sargent,	Satterlund,
Caldwell,	Johnson of G'd Forks,	Simpson,
Churchill,	Johnston,	Thexton.
Cochrane,	Larson,	Thompson,
Deans,	Levang,	Towers,
Ebbighausen,	Logan,	Wallen,
Elliott,	McCanna,	Wineman,
Hagen,	McCulloch,	Wright,
Hall,	McLean,	Yegen,
Hallum,	O'Keefe,	Mr. Speaker.
Halvorson,	Pierce,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Lee,	Severson,
Davis,	Lohnes,	Southard,
Haugen,	McArthur,	Strom,
Havrevold,	Newman,	Tufts,
Holliday,	Oksendahl,	Ueland,
Horgan,	Oliver,	Veeder,
Kelly,	Ritter,	Wishek.

Messrs. Ritter and Southard being excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER, }
Bismarck, March 2, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith

House Bill No. 34,

A bill for an act to encourage the development of the coal mines of the State, and to determine the kind of coal that shall be used in the various State institutions, county buildings and public schools of the State.

Also,

House Bill No. 177,

A bill for an act making an appropriation to pay certain expenses incurred by the Third Legislative Assembly of the State of North Dakota.

Also,

House Bill No. 252,

A bill for an act to provide for the better improvement of public highways,

Which the Senate has passed unchanged.

Respectfully,

FRED FALLEY,

Secretary.

Mr. Havrevold moved
That the House do now adjourn,
Which motion prevailed, and
The House adjourned.

J. G. HAMILTON,
Chief Clerk.

SIXTIETH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 3, 1893.

The House assembled at 10 o'clock a. m., pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All members present except Messrs. Davis, Ritter, and Southard.

Messrs. Ritter and Southard being excused.

The committee to revise and correct the Journal made the following report:

MR. SPEAKER:

Your committee to revise and correct the Journal have examined the Journal of the fifty-ninth day and report the same to be correct.

D. C. TUFTS,
Chairman.

There being no objections the report of the committee was adopted and the Journal approved.

PRESENTATION OF COMMUNICATIONS AND PETITIONS.

Mr. Newman presented the following petition:

FARGO, N. D., February 25, 1893.

MESSRS. NEWMAN AND SOUTHARD,

GENTLEMAN:—Understanding that there is before the present Legislature House Bill No. 221, the purpose of which is a revision of the present exemption laws and a reduction of the excessive amounts allowed under the same, we, the undersigned, respectfully ask your consideration and support of the same.

Signed by

BRISTOL & SWEET,
And Twenty-Seven Others.

Mr. Ueland moved

That for the balance of the session no member shall speak more than two minutes upon any question,

Which motion prevailed.

The Judiciary Committee made the following report:

MR. SPEAKER:

Your Judiciary Committee, to whom was referred
Senate Bill No. 3,

A bill for an act to regulate the building of railroads and prevent damage to property owners thereby,

Have had the same under consideration and report the same without recommendation.

Also,

House Bill No. 257,

A bill for an act to amend section 6916 of the Compiled Laws of 1887, for the purpose of vesting the court with more discretionary powers in rendering the sentences,

And report the same without recommendation.

SETH NEWMAN,
Chairman.

Senate Bill No. 141,

A bill for an act to amend section 1 of chapter 78 of the General Laws of 1890, entitled "An act to amend section 16 of the General Laws of 1885 and section 10 of chapter 69 of the General Laws of 1889, relating to the publication of insurance statements,"

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 35, nays none.

Those who voted in the affirmative were:

Messrs—

Benedict,
Bentley,
Bullard,
Burkhardt,
Caldwell,
Churchill,
Cochrane,
Deans,
Hagen,
Hall,
Hodgson,
Holliday,

Messrs—

Horgan,
Hurley,
Johnson of Sargent,
Johnson of G'd Forks,
Levang,
Logan,
McCanna,
McCulloch,
McLean,
O'Keefe,
Oksendahl,
Oliver,

Messrs—

Pierce,
Satterlund,
Simpson,
Thompson,
Tufts,
Ueland,
Veeder,
Wallen,
Wineman,
Yegen,
Mr. Speaker.

Absent and not voting:

Messrs—

Boynton,
Davis,
Ebbighausen,
Elliott,
Hallum,

Messrs—

Johnston,
Kelly,
Larson,
Lee,
Lohnes,

Messrs—

Ritter,
Sanford,
Severson,
Southard,
Strom,

Messrs—	Messrs—	Messrs—
Halvorson,	McArthur,	Thexton,
Haugen,	Newman,	Towers,
Havrevold,	Plain,	Wishek,
James,	Rinde,	Wright.

Messrs. Ritter and Southard being excused.

So the bill passed and the title was agreed to.

The Committee on Enrolled Bills made the following report:

MR. SPEAKER:

Your Committee on Enrolled Bills have examined substitute for House Bill No. 43,

A bill for an act providing for an appropriation for the payment of the salary and the mileage and expenses of the Commissioners of the Soldiers' Home for the two years ending December 31, 1892.

Also,

House Bill No. 200,

A bill for an act to re-enact section 779 of the Civil Code, being section 3402, Compiled Laws, and subdivision 5 of section 83 of the Civil Code, being subdivision 5 of section 2594, Compiled Laws.

Also,

House Bill No. 119,

A bill for an act to amend section 1 of chapter 42 of the Session Laws of 1889, being an act authorizing and empowering organized counties of North Dakota to erect county buildings for court house and jail purposes and to issue and dispose of bonds to provide funds to pay therefor, and to provide for the payment of the principal and interest of such bonds.

Also,

House Bill No. 232,

A bill for an act to amend an act entitled "An act to provide for taxation of real and personal property situated in unorganized counties.

Also,

House Bill No. 30,

A bill for an act to fix the terms of the district court in the Third judicial district,

And find the same correctly enrolled.

ARNE P. HAUGEN,
Chairman.

The Speaker announced his signature to House Bill No. 232,

A bill for an act to amend an act entitled "An act to provide for taxation of real and personal property situated in unorganized counties."

Also,

Substitute for House Bill No. 30,

A bill for an act to fix the terms of the District Court in the Third Judicial District.

Also,

House Bill No. 200,

A bill for an act to re-enact section 779 and subdivision 6 of section 2594 of the Civil Code.

Also,

House Bill No. 119,

A bill for an act to amend section 1 of chapter 42 of the Session Laws of 1889, being an act authorizing and empowering organized counties of Dakota to erect county buildings for court house and jail purposes and to issue and dispose of bonds to provide funds to pay therefor, and to provide for the payment of principal and interest of such bonds.

Also,

Substitute for House Bill No. 43,

A bill for an act providing for an appropriation for the payment of the salary of the secretary and the mileage and expenses of the commissioners of the Soldiers' Home for the two years ending December 31st, 1892.

The Committee on Enrolled Bills made the following report:

MR. SPEAKER:

Your Committee on Enrolled Bills report that at the hour of 5 o'clock, on Thursday, March 2, 1893, they delivered to the Governor for his approval the following House bills:

House Bill No. 226,

A bill for an act to repeal section 5 of chapter 128 of the General Laws of 1891, entitled "An act to provide for the collection, arrangement and display of the products of the State of North Dakota at the World's Columbian Exposition."

Also,

House Bill No. 129,

A bill for an act to amend section 137 of chapter 62 of the Laws of 1891.

Also,

House Bill No. 100,

A bill for an act providing for the establishment of courts of conciliation, and prescribing the mode of procedure in same.

Also,

House Bill No. 127,

A bill for an act to establish an experimental station for the purposes of irrigation.

Also,

House Bill No. 29,

A bill for an act to establish the Thirty-second Senatorial and Legislative District.

Also,

House Bill No. 214,

A bill for an act to provide for the trial of cases tried by the district court without a jury and for the hearing of such actions on appeal.

Also,

House Bill No. 46,

A bill for an act to amend section 1 of chapter 25 of the Laws of 1887, being section 5066 of the Compiled Laws.

Also,

House Bill No. 205,

A bill for an act to amend section 510 of the Code of Civil Procedure.

Also,

House Bill No. 67,

A bill for an act to amend sections 66 and 67 of chapter 132, Laws of 1890.

Also,

House Bill No. 165,

A bill for an act to establish a weather and crop service for the collection and dissemination of crop statistics and meteorological data,

ARNE P. HAUGEN,
Chairman.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, March 3, 1893.

MR. SPEAKER:

The Senate desires to recall House Bill No. 129 for correction.

Respectfully,
FRED FALLEY,
Secretary.

Senate Bill No: 127,

A bill for an act to amend chapter 126 of the Session Laws of 1890, being an act entitled "An act to provide for a transfer of freight at railroad crossings, and the maintenance of depots at the same." The purpose of this amendment being to do all proceedings in court and to limit such act to the purpose of building Y's and proper connecting tracts between all railways crossing each other in this State and to require transportation from one road to another over such Y's or connections at \$1 per car and to equally apportion the freight rate between the different railways of the State where such connections are made on the basis of the rules of transit by each,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 44, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Horgan,	Plain.
Bentley,	Johnson of Sargent,	Rinde,
Bullard,	Johnson of G'd Forks,	Sanford,
Burkhardt,	Johnston,	Satterlund,
Caldwell,	Kelly,	Strom,
Churchill,	Larson,	Thexton,
Deans,	Levang,	Thompson,
Ebbighausen,	Logan,	Towers,
Elliott,	Lohnes,	Tufts,
Hagen,	McArthur,	Veeder,
Hall,	McCanna,	Wallen,
Hallum,	McCulloch,	Wishek,
Halvorson,	O'Keefe,	Wright,
Hodgson,	Oksendahl,	Mr. Speaker.
Holliday,	Pierce,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Cochrane,	James,	Severson,
Boynton,	Lee,	Simpson,
Davis,	McLean,	Southard,
Haugen,	Newman,	Ueland,
Havrevold,	Oliver,	Wineman,
Hurley,	Ritter	Yegen.

Messrs. Ritter and Southard being excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, March 3, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith

House Bill No. 212,

A bill for an act to amend section 2 of chapter 107 of the Session Laws of 1890, entitled "An act to provide for the inspection of illuminating oils manufactured from petroleum or coal oils, for the purpose of raising the tests of oils,"

Which the Senate has passed unchanged.

Respectfully,
FRED FALLEY,
Secretary.

Senate bill No. 94,

A bill for an act to amend sections 1 and 30 of chapter 132 of the Session Laws of 1890, being an act entitled "An act pre-

scribing the mode of making assessment, and the levy and collection of taxes, and for other purposes relative thereto,"

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 35, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Halvorson,	Pierce,
Bentley,	Hodgson,	Plain,
Boynton,	Holliday,	Sanford.
Bullard,	Horgan,	Thompson,
Burkhardt,	Johnson of Sargent,	Towers,
Caldwell,	Johnston,	Veeder,
Churchill,	Kelly,	Wallen,
Deans,	Levang,	Wishek,
Ebbighausen,	Lohnes,	Wright,
Elliott,	McArthur,	Yegen,
Hagen,	McCanna,	Mr. Speaker.
Hall,	O'Keefe,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Cochrane,	Lee,	Satterlund,
Davis,	Logan,	Severson,
Hallum,	McCulloch,	Simpson,
Haugen,	McLean,	Southard,
Havrevold,	Newman,	Strom,
Hurley,	Oksendahl,	Thexton,
James,	Oliver,	Tufts,
Johnson of G'd Forks,	Rinde,	Ueland,
Larson,	Ritter,	Wineman.

Messrs. Ritter and Southard being excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, March 3, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith

Concurrent Resolution relating to the apportionment of the exhibits to the World's Fair.

Which the Senate has passed and your concurrence therein is respectfully requested.

Respectfully,
FRED FALLEY,
Secretary.

CONCURRENT RESOLUTION.

Resolved, by the Senate, the House of Representatives Concurring:

That at the close of the World's Columbian Exposition the Board of World's Fair Managers, together with the Governor, shall apportion among

the several institutions of the State, as in their judgment may seem just and proper, all of North Dakota's exhibit that remains the property of the State.

Senate Bill No. 167,

A bill for an act constituting boards of audit for cities and to provide for the presentation and auditing of claims.

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 43, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hurley,	Satterlund,
Bentley,	Johnson of Sargent,	Simpson,
Boynton,	Johnston,	Strom,
Bullard,	Kelly,	Thexton,
Caldwell,	Larson,	Thompson,
Churchill,	Levang,	Towers,
Deans,	Lohnes,	Ueland,
Ebbighausen,	McArthur,	Veeder,
Elliott,	McCanna,	Wallen,
Hagen,	McCulloch,	Wineman,
Hall,	Oksendahl,	Wishek,
Hallum,	Pierce,	Wright,
Halvorson,	Plain,	Yegen,
Hodgson,	Sanford,	Mr. Speaker.
Horgan,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Burkhardt,	Johnson of G'd Forks,	Oliver,
Cochrane,	Lee,	Rinde,
Davis,	Logan,	Ritter,
Haugen,	McLean,	Severson,
Havrevold,	Newman,	Southard,
Holliday,	O'Keefe,	Tufts.
James,		

Messrs. Ritter and Southard being excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, March 3, 1893.

MR. SPEAKER:

I have the honor to transmit herewith
House Bill No. 149,

A bill for an act authorizing the appointment of stenographers for the District Courts of this State and prescribing their duties and compensation, and repealing chapter 152 of the Laws of 1879, being sections 481, 482, 483, 484, 485 and 486 of the Compiled Laws of 1887, in relation thereto,

Which the Senate has passed amended by striking out section 6.

Respectfully,
 FRED FALLEY,
 Secretary.

The Committee on Enrolled Bills made the following report:

MR. SPEAKER:

Your Committee on Enrolled Bills have examined
 House Bill No. 133,

A bill for an act to amend and re-enact sections 2, 6 and 7 of article 9 of chapter 73 of the Laws of 1887, being sections 917, 921 and 922 of the Compiled Laws.

Also,

Substitute for House Bill No. 2,

A bill for an act to provide for the right of erection of grain warehouses and elevators on the right-of-way of railroad corporations and contiguous thereto.

Also,

House Bill No. 131,

A bill for an act to amend and re-enact chapter 141 of the Laws of 1890.

Also,

House Bill No. 22,

A bill for an act entitled "An act exempting volunteer firemen from jury duty and from paying poll tax."

Also,

House Bill No. 78,

A bill for an act to enable county commissioners to present the listing, assessment, advertisement and selling at tax sales of lots according to their subdivisional description in certain cases.

Also,

House Bill No. 191,

A bill for an act to amend section 60 of chapter 86 of the Laws of 1891, entitled "An act to provide a military code for the State of North Dakota."

Also,

House Bill No. 41,

A bill for an act to amend section 7 of chapter 25 of the General Laws of 1890, entitled "An act providing for the organization and fixing and defining the powers and duties of the Board of University and School Lands," and making an appropriation therefor,

And find the same correctly enrolled.

ARNE P. HAUGEN,
 Chairman.

The Committee on Enrolled Bills made the following report:

MR. SPEAKER:

Your Committee on Enrolled Bills report that at the hour of ten o'clock and thirty minutes they delivered to the Governor for his approval the following House Bills:

House Bill No. 232, *

A bill for an act to amend an act entitled "An act to provide for taxation of real and personal property situated in unorganized counties."

Also,

House Bill No. 200,

A bill for an act to re-enact section 779 and subdivision 5 of section 779 of the Civil Code.

Also,

House Bill No. 119,

A bill for an act to amend section 1 of chapter 42 of the Session Laws of 1889, being an act authorizing and empowering organized counties of North Dakota to erect county buildings for court house and jail purposes, and to issue and dispose of bonds to provide funds to pay therefor, and to provide for the payment of the principal and interest of such bonds.

Also,

House Bill No. 120,

A bill for an act to amend sections 1, 6, 8, 13 and 14 of chapter 161 of the Session Laws of 1890, creating an institute for the education of the deaf and dumb of North Dakota, and providing for its support and management.

Also,

Substitute for House Bill No. 43,

A bill for an act providing for an appropriation for the payment of the salary of the secretary and the mileage and expenses of the Commissioners of the Soldiers' Home for the two years ending December 31, 1892.

Also,

Substitute for House Bill No. 30,

A bill for an act to fix the terms of the district court in the Third Judicial district.

ARNE P. HAUGEN,
Chairman.

Senate Bill No. 84,

A bill for an act to repeal chapter 123 of the Laws of 1890, entitled "An act to facilitate the shipment of grain, live stock and other commodities," and to repeal the amendment to the above act, approved June 3, 1892, entitled "An act to amend sections 1 and 2 of chapter 132 of the Laws of 1890," and provide in lieu thereof that every railway in the State shall be required to build and maintain suitable platforms at every station or siding in the State where

there is an established elevator or warehouse for the receiving of grain; such platform to be for the public convenience to facilitate the loading of grain and other commodities from wagons into cars for shipment,

Was read the third time and placed upon its final passage.

Mr. Ueland asked unanimous consent to amend the bill as follows:

Amend the title by inserting the word "any" in the place of "every" in line 7 of the title, and by inserting in said line 7 of the title between the words "State" and "where" the words "from which grain is shipped or."

Also, amend section 2 by erasing the letter "a" from the end of the word "platforms" in line 6, written copy.

Also, insert the words "railroad company shall" between the words "petition" and "erect" on next to last line of section, and after the word "platform" at the end of section, and add the words "for public use."

Also, add at the end of section 3 these words: "*Provided*, That in case it appears from the petition hereinbefore mentioned that a platform is desired differing in height or length, or both, from that specified in this section, not to exceed seven feet above the track or one hundred and twenty feet in length, exclusive of the approaches, it shall be the duty of said railroad company or corporation to so construct said platform so as to conform to the dimensions required in said petition, unless a showing can be made to the court that the requirement is beyond the needs of the station or siding."

Also, change the word "wishing" in line 1 on page 4, written copy, to the word "within."

Also, insert the words "station or siding" after the word "railroad," and before the words "is located," in line 5, above page.

Also, after the word "complaint" in line 8, page 4, written copy of bill, insert the words "against said railroad company."

Also, in line 5, section 5, printed copy of bill, erase the words "and especially."

Which consent was granted and the bill so amended.

The question being upon the final passage of the bill.

The roll being called there were ayes 44, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict.	Johnson of Sargent,	Pierce,
Bentley,	Johnson of G'd Forks,	Plain,
Bullard.	Kelly,	Rinde,
Caldwell,	Larson,	Sanford,
Churchill,	Lee,	Strom,
Cochrane,	Levang,	Thexton,
Ebbighausen,	Logan,	Thompson,
Elliott,	Lohnes,	Towers,
Hagen,	McCanna,	Ueland,
Hall,	McCulloch,	Wallen,
Hallum,	McLean,	Wishek,
Hodgson,	Newman,	Wright,
Holliday,	O'Keefe,	Yegen,
Horgan,	Oksendahl,	Mr. Speaker.
Hurley,	Oliver,	

Absent and not voting:

Messrs—

Boynton,
Burkhardt,
Davis,
Deans,
Halvorson,
Haugen,

Messrs—

Havrevold,
James,
Johnston,
McArthur,
Ritter,
Satterlund,

Messrs—

Severson,
Simpson,
Southard,
Tufts,
Veeder,
Winemau.

Messrs. Ritter and Southard being excused.

So the bill as amended passed and the title was agreed to.

Mr. Newman moved

That the House do not concur in Senate amendments to House Bill No. 149, and that a conference committee of three be appointed,

Which motion prevailed, and

Mr. Speaker appointed as such Conference Committee Messrs. Newman, Wishek and Bentley.

Mr. Speaker announced his signature to House Bill No. 78,

A bill for an act to enable county commissioners to present the listing, assessment, advertisement and selling at tax sales of lots according to their subdivisional description in certain cases.

Also,

House Bill No. 191,

A bill for an act to amend section 60 of chapter 86 of the Laws of 1891, entitled "An act to provide a military code for the State of North Dakota."

Also,

House Bill No. 133,

A bill for an act to amend and re-enact sections 2, 6 and 7 of article 9 of chapter 73 of the Laws of 1887, being sections 917, 921 and 922 of the Compiled Laws.

Also,

House Bill No. 131,

A bill for an act to amend and re-enact chapter 140 of the Laws of 1890.

Also,

House Bill No. 2,

A bill for an act to provide a procedure for the condemnation of public warehouse sites on the right of way of railroads.

Also,

House Bill No. 22,

A bill for an act entitled "An act exempting volunteer firemen from jury and from paying poll tax."

Also,

House Bill No. 41,

A bill for an act to amend section 7 of chapter 25 of the Gen-

eral Laws of 1890, entitled "An act providing for the organization and fixing and defining the powers and duties of the Board of University and School Lands," and making an appropriation therefor.

Mr. Speaker called Mr. Hurley to the chair.

Substitute for Senate Bills Nos. 1 and 17,

A bill for an act to amend sections 1, 2, 4, 5, 16, 17, 18 and 24 of chapter 66 of the Laws of 1891 known as the "Australian ballot law,"

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 40, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hurley,	Pierce,
Bentley,	James,	Plain,
Boynnton,	Johnson of Sargent,	Rinde,
Bullard,	Johnson of G'd Forks,	Sanford,
Caldwell,	Kelly,	Satterlund,
Churchill,	Larson,	Strom,
Cochrane,	Levang,	Thexton,
Deans,	Logan,	Thompson,
Ebbighausen,	McCanna,	Veeder,
Elliott,	McCulloch,	Wallen,
Hagen,	McLean,	Wright,
Hallum,	Newman,	Yegen,
Halvorson,	O'Keefe,	Mr. Speaker.
Horgan.		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Burkhardt,	Lee,	Simpson,
Davis,	Lohnes,	Southard,
Hall,	McArthur,	Towers,
Haugen,	Oksendahl,	Tufts,
Havrevold,	Oliver,	Ueland,
Hodgson,	Ritter,	Wineman,
Holliday,	Severson,	Wishek.
Johnston,		

Messrs. Ritter and Southard being excused.

So the bill passed and the title was agreed to.

The committee to arrange the order in which Senate bills shall be taken up for final passage made the following report:

MR. SPEAKER:

Your committee would recommend the following Senate bills in order named:

Substitute for Senate Bills Nos. 1 and 17,

A bill for an act to amend sections 1, 2, 4, 5, 16, 17, 18 and 24 of chapter 66 of the Laws of 1891, known as the Australian Ballot Law.

Senate Bill No. 172,

A bill for an act to amend sections 1 and 3 of chapter 86, Laws of 1890,

Senate Bill No. 137,

A bill for an act to declare certain mills in this State public custom mills and to regulate the rates of toll and exchange therefor.

Senate Bill No. 60,

A bill for an act defining the powers and prescribing the duties of the State Treasurer.

Senate Bill No. 108,

A bill for an act to regulate the sale and redemption of transportation tickets of common carriers.

Senate Bill No. 169,

A bill for an act for the preservation, propagation and protection of game and fish in the State of North Dakota.

Senate Bill No. 96,

A bill for an act to amend section 3 of chapter 53 of the Laws of 1887, relating to the support of fire departments.

Senate Bill No. 78,

A bill for an act to amend paragraph 40 of chapter 68 of the Laws of 1891.

Senate Bill No. 166,

A bill for an act authorizing cities to levy and collect an annual poll tax.

Senate Bill No. 39,

A bill for an act to amend section 778 of the Civil Code, being section 3401 of the Compiled Laws, relating to the succession of real and personal property.

Senate Bill No. 128,

A bill for an act to amend section 4 of chapter 65 of the Session Laws of 1891, being an act entitled "An act to amend sections 2, 5, 6 and 11 of chapter 146 of the General Laws of 1890, entitled 'An act to provide for the leasing and sale of the common school lands of North Dakota,'" for the purpose of making specific appropriation by the Legislature to meet expenses that were therefor taken out of the interest and income of the permanent school fund, because the section so amended is in violation of the constitution.

Senate Bill No. 97,

A bill for an act to amend section 1 of chapter 62 of the Laws of 1891.

Senate Bill No. 145.

A bill for an act to require one railroad to permit another rail-

road to cross it and connect with it and to require both companies to pay the expense of construction.

Senate Bill No. 61,

A bill for an act fixing the time for commencement and ending of the fiscal year for the State of North Dakota.

Senate Bill No. 161,

A bill for an act entitled "An act to amend sections 1 and 3 of chapter 50 of the Session Laws of 1890, of an act entitled 'An act to fix compensation of judges of the county courts and provide a fund to reimburse the county for the same,'" approved March 18, 1890.

Senate Bill No. 64,

A bill for an act providing for the appointment of notaries public and providing a penalty for violation of the provisions thereof.

Senate Bill No. 187,

A bill for an act to provide for an election to locate the School of Forestry of North Dakota.

Senate Bill No. 185,

A bill for an act authorizing and providing the manner of amending or changing the articles of incorporation of private corporations.

Senate Bill No. 188,

A bill for an act defining the duties of justices of the peace and describing their powers.

Senate Bill No. 41,

A bill for an act fixing the fees for filing, renewing and releasing chattel mortgages.

Senate Bill No. 88,

A bill for an act to provide protection from fire within the Capitol Building.

Senate Bill No. 49,

A bill for an act prescribing the compensation of the Lieutenant Governor while acting as Governor.

Senate Bill No. 165,

A bill for an act to provide for the division of civil townships containing two or more Congressional townships by the creation of new townships therein.

Senate Bill No. 35,

A bill for an act to amend chapter 23, Laws of 1890, entitled "Organization and Government of State Banks."

Senate Bill No. 91,

A bill for an act to amend section 4 of chapter 79 of the Laws of 1891, being an act entitled "An act defining the boundaries of

the Fifth Judicial District, subdividing the same, and fixing the time for holding the terms of district court therein."

H. S. OLIVER,
Chairman.

Senate Bill No. 172,

A bill for an act to amend sections 1 and 3 of chapter 86 of the Laws of 1890,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 11, nays 24.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Bentley,	Horgan,	Simpson,
Bullard,	Hurley,	Veeder,
Burkhardt,	McArthur,	Yegen.
Cochrane,	Satterlund,	

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hodgson,	Pierce,
Caldwell,	Johnson of Sargent,	Plain,
Churchill,	Johnson of G'd Forks,	Strom,
Deans,	Lee,	Thexton,
Ebbighausen,	Lohnes,	Thompson,
Hagen,	McCanna,	Towers,
Hallum,	McCulloch,	Wright,
Halvorson,	McLean,	Mr. Speaker.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Kelly,	Ritter,
Davis,	Larson,	Sanford
Elliott,	Levang,	Severson,
Hall,	Logan,	Southard,
Haugen,	Newman,	Tufts,
Havrevold,	O'Keefe,	Ueland,
Holliday,	Oksendahl,	Wallen,
James,	Oliver,	Wineman,
Johnston,	Rinde,	Wishek.

Messrs. Ritter and Southard being excused.

So the bill was lost.

Mr. Speaker announced his signature to Senate Bill No. 110,

A bill for an act to confirm the sale of 71,809.67 acres of university and school lands located in the counties of Pembina, Walsh, Grand Forks, Traill, Cass and Richland, of this State, to cure any alleged defect of title that may arise from the said sales having been made in April, 1892, instead of between April 15, 1891, and June 1, 1891, as required by chapter 146 of the Session Laws of 1890.

Also,
Senate Bill No. 11,

A bill for an act authorizing county commissioners to establish in suitable localities public scales and regulating the appointment and duties of public weighmasters.

Also,
Senate Bill No. 77,

A bill for an act for an appropriation for new buildings for the Asylum for the Insane at Jamestown.

Also,
Senate Bill No. 42,

A bill for an act defining the boundaries of the Second Judicial District, subdividing the same and fixing the terms of court to be held therein.

MESSAGES FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, March 3, 1893.

MR. SPEAKER:

I have the honor to inform you that the Senate has appointed Messrs. Burke, Patch and Young as Senate members of the Conference Committee to consider amendments to House Bill No. 149.

Respectfully,
FRED FALLEY,
Secretary.

Also,

SENATE CHAMBER,
Bismarck, March 3, 1893.

MR. SPEAKER:

The Senate, by vote, desires the recall of House Bill No. 149 for correction.

Respectfully,
FRED FALLEY,
Secretary.

Mr. Speaker moved

That the House comply with the request of the Senate to return to that body House Bill No. 149 for correction,
Which motion prevailed.

Senate Bill No. 137,

A bill for an act to declare certain mills in this State public custom mills, and to regulate the rates of toll and exchange thereof,
Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 15, nays 30.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Bullard,	Levang,	Thompson,
Caldwell,	McCulloch.	Towers,
Hagen,	McLean,	Ueland,
Hodgson,	Oksendahl,	Wishek,
Holliday,	Simpson,	Yegen.

Those voting in the negative were:

Messrs—	Messrs—	Messrs—
Bentley,	Hurley,	O'Keefe,
Burkhardt,	James,	Oliver,
Churchill,	Johnson of Sargent,	Pierce,
Cochrane,	Johnston,	Satterlund,
Deans,	Kelly,	Strom,
Ebbighausen,	Lee,	Thexton,
Elliott,	Lohnes,	Veeder,
Hall,	McArthur,	Wallen,
Halvorson,	McCanna,	Wright,
Horgan,	Newman,	Mr. Speaker.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Benedict,	Johnson of G'd Forks,	Sanford,
Boynton,	Larson,	Severson,
Davis,	Logan,	Southard,
Hallum,	Plain,	Tufts,
Haugen,	Rinde,	Wineman.
Havrevold,	Ritter.	

Messrs. Ritter and Southard being excused.

So the bill was lost.

MESSAGES FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, March 3, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith
House Bill No. 123,

A bill for an act to legalize and confirm town site proceedings,
and to limit the time within which the validity thereof may be
questioned,

Also,

House Bill No. 149,

A bill for an act authorizing the appointment of stenographers
for the district courts of this State and prescribing their duties
and compensation, and repealing chapter 52 of the Laws of 1879,
being sections 481, 482, 483, 484, 485 and 486 of the Compiled
Laws of 1887 in relation thereto,

Also,

House Bill No. 184,

A bill for an act to amend divisions 1 and 2 of section 16 of an

act entitled "An act prescribing the mode of making assessment and the levy and collection of taxes, and for other purposes relative thereto."

Also,

House Bill No. 233,

A bill for an act to amend section 91 of chapter 132 of the Laws of 1890, being an act entitled "An act prescribing the mode of making assessment and the levy and collection of taxes and for other purposes relating thereto."

Which the Senate has passed unchanged.

Respectfully,
FRED FALLEY,
Secretary.

Also,

SENATE CHAMBER, }
Bismarck, March 3, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith

House Bill No. 124,

A bill for an act to prevent the spread of contagious and infectious diseases among domestic animals,

Also,

House Bill No. 138,

A bill for an act to authorize boards of County Commissioners in counties that contain a population of less than six thousand, as shown by the census of 1890, to dispose of and tear down buildings owned by the county and not used for county purposes, when petitioned therefor by one hundred or more of the voters of the county, when the public interest and public safety will thereby be promoted,

Which the Senate has passed unchanged.

FRED FALLEY,
Secretary.

Senate Bill No. 60,

A bill for an act defining the powers and prescribing the duties of the State Treasurer,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 35, nays 6.

Those voting in the affirmative were:

Messrs—

Benedict,
Bentley,
Boynton,
Bullard,
Caldwell,
Churchill,
Cochrane,

Messrs—

Larson,
Logan,
Lohnes,
McArthur,
McCanna,
McCulloch,
McLean,

Messrs—

Simpson,
Strom,
Thompson,
Towers,
Veeder,
Wallen,
Wineman.

Messrs—	Messrs—	Messrs—
Elliott,	Oksendahl,	Wishek,
Halvorson,	Oliver,	Wright,
Horgan,	Pierce,	Yegen,
Hurley,	Rinde,	Mr. Speaker.
Johnson of G'd Forks,	Sanford,	

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Ebbighausen,	Johnson of Sargent,	Plain,
Holliday,	O'Keefe,	Thexton.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Burkhardt,	Havrevold,	Newman,
Davis,	Hodgson,	Ritter,
Deans,	James,	Satterlund,
Hagen,	Johnston,	Severson,
Hall,	Kelly,	Southard,
Hallum,	Lee,	Tufts,
Haugen,	Levang,	Ueland.

Messrs. Ritter and Southard being excused.

So the bill passed and the title was agreed to.

Mr. Speaker announced his signature to

Senate Bill No. 27,

A bill for an act to amend section 1 of chapter 35 of the Laws of 1887, relating to corporations, being section 2900 of the Compiled Laws, as to purposes for which private corporations may be formed.

Also,

Senate Bill No. 163,

A bill for an act constituting the Commissioner of Irrigation and Forestry the Fish and Game Commissioner of North Dakota.

Also,

Senate Bill No. 167,

A bill for an act constituting boards of audit for cities and to provide for the presentation and auditing of claims,

Also,

Senate Bill No. 164,

Concurrent Resolution to amend subdivision 8 of section 215 of article 19 of the Constitution of the State of North Dakota.

Senate Bill No. 108,

A bill for an act to regulate the sale and redemption of transportation tickets of common carriers,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 49, nays 2.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Horgan,	Pierce,
Bentley,	Hurley,	Plain,
Boynton,	James,	Sanford,
Bullard,	Johnson of Sargent,	Satterlund,
Burkhardt,	Johnson of G'd Forks,	Simpson,
Caldwell,	Johnston,	Strom,
Churchill,	Larson,	Thexton.
Cochrane,	Logan,	Towers,
Deans,	Lohnes,	Tufts,
Ebbighausen,	McArthur,	Ueland,
Elliott,	McCanna,	Veeder,
Hagen,	McLean,	Wallen,
Hall,	Newman,	Wineman,
Hallum,	O'Keefe,	Wright,
Halvorson,	Oksendahl,	Yegen,
Hodgson,	Oliver,	Mr. Speaker
Holliday,		

Messrs. Kelly and Wright voting in the negative.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Davis,	Levang,	Severson,
Haugen,	McCulloch,	Southard,
Havrevold,	Rinde,	Thompson.
Lee,	Ritter,	

Messrs. Ritter and Southard being excused.

So the bill passed and the title was agreed to.

Mr. Oliver moved

That the House do now take a recess until 1:30 o'clock p. m.,

Which motion prevailed, and

The House took a recess.

The House reassembled.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER, }
Bismarck, March 3, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith

House Bill No. 32,

A bill for an act to amend section 3, chapter 100, of the Session, Laws of 1890, providing for the collection of city and school taxes

Which the Senate has passed with the following amendment:

Strike out the words "together with the interest and penalty accrued thereon" in lines 23 and 24 of printed bill,

And your concurrence therein is respectfully requested.

Respectfully,
FRED FALLEY,
Secretary.

Mr. Strom moved

That the vote by which Senate Bill No. 172 was lost be reconsidered,

Which motion prevailed.

Mr. Bentley moved

To amend Senate Bill No. 172 by striking out sections 2, 4 and 7,

Which motion prevailed.

Mr. Ueland moved

That the Governor be asked to return to this House, House Bill No. 129 for the purpose of amending said bill,

Which motion prevailed.

Mr. Hurley moved

That the House do concur in the Senate amendments to House Bill No. 124,

Which motion prevailed.

Senate Bill No. 169,

A bill for an act for the preservation, propagation and protection of game and fish in the State of North Dakota,

Was read the third time and placed upon its final passage.

The question being on the final passage of the bill.

The roll being called there were ayes 42, nays 2.

Those who voted in the affirmative were:

Messrs—

Benedict,
Bentley,
Boynton,
Bullard,
Burkhardt,
Cochrane,
Deans,
Ebbighausen,
Hagen,
Hall,
Hallum,
Halvorson,
Haugen,
Hodgson,

Messrs—

Holliday,
Horgan,
Hurley,
James,
Johnson of Sargent,
Johnson of G'd Forks,
Johnston,
Larson,
Levang,
Logan,
McCanna,
McCulloch,
McLean,
Newman,

Messrs—

O'Keefe,
Pierce,
Plain,
Rinde,
Sanford,
Satterlund,
Strom,
Tufts,
Ueland,
Veeder,
Wishek,
Wright,
Yegen,
Mr. Speaker.

Messrs. McArthur and Thompson voting in the negative.

Absent and not voting:

Messrs—

Caldwell,
Churchill,
Davis,
Elliott,
Havrevold,
Kelly,

Messrs—

Lee,
Lohnes,
Oksendahl,
Oliver,
Ritter,
Severson,

Messrs—

Simpson,
Southard,
Thexton,
Towers,
Wallen,
Wineman.

Messrs. Ritter and Southard being excused.

So the bill passed and the title was agreed to.

The question being upon the final passage of House Bill No. 124 as amended by the Senate.

The roll being called there were ayes 38, nays 2.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Horgan,	Rinde,
Bentley,	Hurley,	Sanford,
Burkhardt,	James,	Satterlund,
Caldwell,	Johnson of Sargent,	Strom,
Cochrane,	Johnson of G'd Forks,	Towers,
Deans,	Larson,	Tufts,
Ebbighausen,	Levang.	Ueland,
Hagen,	McCanna,	Veeder,
Hall,	McLean,	Wishek,
Halvorson,	Newman,	Wright,
Haugen,	O'Keefe,	Yegen,
Hodgson,	Pierce,	Mr. Speaker.
Holliday,	Plain,	

Messrs. Hallum and McArthur voting in the negative.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Lee,	Severson,
Bullard,	Logan,	Simpson,
Churchill,	Lohnes,	Southard,
Davis,	McCulloch,	Thexton,
Elliott,	Oksendahl,	Thompson,
Havrevold,	Oliver,	Wallen,
Johnston,	Ritter,	Wineman.
Kelly,		

Messrs. Ritter and Southard being excused.

So the bill passed and the title was agreed to.

The Committee on Enrolled Bills made the following report:

MR. SPEAKER:

Your Committee on Enrolled Bills have examined House Bill No. 189,

A bill for an act to amend sections 3, 5, 8, 10, 11 and 12 of chapter 108 of the Laws of 1890, entitled "An act to regulate the practice of pharmacy, the licensing of persons to carry on such practice and the sale of poisons in the State of North Dakota.

Also,

House Bill No. 62,

A bill for an act providing an appropriation for manufacture of potato starch in the State of North Dakota.

Also,

House Bill No. 186,

A bill for an act to provide for and establish an industrial school and school for manual training at Ellendale, in the county of Dickey and State of North Dakota.

Also,
House Bill No. 246,
A bill for an act authorizing the refunding of outstanding city bonds and warrants.

Also,
House Bill No. 177,
A bill for an act making an appropriation to pay certain expenses incurred by the Third Legislative Assembly of the State of North Dakota.

Also,
House Bill No. 34,
A bill for an act to amend chapter 44, Laws of 1891.

Also,
House Bill No. 98,
A bill for an act providing for the removal of obstructions to natural waterways.

Also,
House Bill No. 40,
A bill for an act to reimburse Leon S. Roudiez, Professor of Military Science, University of North Dakota.

Also,
House Bill No. 182,
A bill for an act appropriating money to reimburse the messengers of the House and Senate,
And find the same correctly enrolled.

ARNE P. HAUGEN,
Chairman.

Mr. Speaker announced his signature to
House Bill No. 177,
A bill for an act making an appropriation to pay certain expenses incurred by the Third Legislative Assembly of the State of North Dakota.

Also,
House Bill No. 34,
A bill for an act to amend chapter 44, Laws of 1891.

Also,
House Bill No. 98,
A bill for an act providing for the removal of obstructions to natural waterways.

Also,
House Bill No. 40,
A bill for an act to reimburse Lieut. Leon S. Roudiez for room rent,

Also,
House Bill No. 189,

A bill for an act to amend sections 3, 5, 8, 10, 11 and 12 of chapter 108 of the Laws of 1890, entitled "An act to regulate the practice of pharmacy, the licensing of persons to carry on such practice and the sale of poisons in the State of North Dakota."

Also,

House Bill No. 62,

A bill for an act providing an appropriation for the manufacture of potato starch in the State of North Dakota.

Also,

House Bill No. 186,

A bill for an act entitled "An act to provide for and establish an industrial school and school for manual training at Ellendale, in the county of Dickey and State of North Dakota, as provided for in subdivision 3 of section 16 of the Constitution of this State.

Also,

House Bill No. 246,

A bill for an act authorizing the refunding of outstanding city bonds and warrants.

Also,

Substitute for House Bill No. 182,

A bill for an act to appropriate money out of the State Treasury to J. B. Sinclair, messenger of the House, and Frank Gauke, messenger of the senate.

The question being upon the final passage of House Bill No. 32, as amended by the Senate.

The roll being called there were ayes 43, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Holliday,	Rinde,
Bentley,	Horgan,	Sanford,
Boynton,	Hurley,	Satterlund,
Bullard,	James,	Simpson,
Burkhardt,	Johnson of Sargent,	Strom,
Cochrane,	Johnson of G'd Forks,	Thexton,
Deans,	Larson,	Tufts,
Ebbighausen,	McArthur,	Ueland,
Elliott,	McCanna,	Veeder,
Hagen,	McLean,	Wineman,
Hall,	Newman,	Wishek,
Hallum,	O'Keefe,	Wright,
Halvorson,	Pierce,	Yegen,
Haugen,	Plain,	Mr. Speaker.
Hodgson,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Caldwell,	Levang,	Ritter,
Churchill,	Logan,	Severson,
Davis,	Lohnes,	Southard,

Messrs—	Messrs—	Messrs—
Havrevold,	McCulloch,	Thompson,
Johnston,	Oksendahl,	Towers.
Kelly,	Oliver,	Wallen.
Lee,		

Messrs. Ritter and Southard being excused.

So the bill passed and the title was agreed to.

The question being upon the final passage of Senate Bill No. 172, as amended by the House.

The roll being called there were ayes 39, nays 2.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Holliday,	Plain,
Bentley,	Horgan,	Rinde,
Boynton,	Hurley,	Satterlund,
Bullard,	James,	Simpson,
Burkhardt,	Johnson of G'd Forks,	Strom,
Churchill,	Johnston,	Tufts,
Cochrane,	Levang,	Ueland,
Deans,	Logan,	Veeder,
Elliott,	McArthur,	Wineman,
Hagen,	McLean,	Wishek,
Hallum,	Newman,	Wright,
Halvorson,	O'Keefe,	Yegen,
Haugen,	Pierce,	Mr. Speaker.

Messrs. Sanford and Thompson voting in the negative.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Caldwell,	Larson,	Sanford,
Davis,	Lee,	Severson,
Ebbighausen,	Lohnes,	Southard,
Hall,	McCanna,	Thexton,
Havrevold,	McCulloch,	Thompson,
Hodgson,	Oksendahl,	Towers,
Johnson of Sargent,	Oliver,	Wallen.
Kelly,	Ritter,	

Messrs. Ritter and Southard being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 49,

A bill for an act prescribing the compensation of the Lieutenant Governor while acting as Governor,

Was read the third time and placed upon its final passage.

The question being on the final passage of the bill.

The roll being called there were ayes 43, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Johnson of Sargent,	Rinde,
Bentley,	Johnson of G'd Forks,	Sanford,
Boynton,	Kelly,	Satterlund,
Burkhardt,	Larson,	Severson,

Messrs—	Messrs—	Messrs—
Caldwell,	Levang,	Strom,
Churchill,	Logan,	Thexton,
Cochrane,	Lohnes,	Towers,
Ebbighausen,	McCanna,	Ueland,
Elliott,	McCulloch,	Veeder,
Hagan,	McLean,	Wineman,
Halvorson,	Newman,	Wishek,
Hodgson,	O'Keefe,	Wright,
Horgan,	Pierce,	Yegen,
Hurley,	Plain,	Mr. Speaker.
James,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bullard,	Holliday,	Ritter,
Davis,	Johnston,	Simpson,
Deans,	Lee,	Southard,
Hall,	McArthur,	Thompson,
Hallum,	Oksendahl,	Tufts,
Haugen,	Oliver,	Wallen.
Havrevold,		

Messrs. Ritter and Southard being excused.

So the bill passed and the title was agreed to.

Mr. Ueland moved

That the courtesies of the floor be extended to Miss Preston, and that she be invited to address the House,

Which motion prevailed, and
Miss Preston addressed the House.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, March 3, 1893. }

MR. SPEAKER:

I have the honor to inform you that the Senate has concurred in House amendments to Senate Bill No. 84,

Respectfully,
FRED FALLEY,
Secretary.

Mr. Ueland moved

That House bill No. 129 be reconsidered,
Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, March 3, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith
House Bill No. 139,

A bill for an act to amend section 62 of chapter 132 of the Laws of 1890, and to add another section thereto regulating fees of officers under said act,

Which the Senate has amended and passed, with amendment attached to bill.

Respectfully,
FRED FALLEY,
Secretary.

Senate amendment to House Bill No. 139:

That the following be added to section 2 of said bill:

"And it shall be the duty of the sheriff or his deputy to furnish to the county commissioners, together with his bill for serving said citations, a full and complete description of his route traveled, and in no case shall mileage be charged more than once from the county seat of the county in which such service is performed."

Mr. Wineman moved

That the further consideration of Senate Bill No. 158 be indefinitely postponed.

Mr. Hodgson moved

That the motion to indefinitely postpone be laid upon the table.

Roll call demanded.

The roll being called there were ayes 32, nays 24.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hurley,	Sanford,
Bentley,	Johnson of Sargent,	Severson,
Boynton	Larson,	Simpson,
Bullard,	Logan,	Strom,
Burkhardt,	McArthur,	Thompson,
Caldwell,	McCanna,	Towers,
Cochrane,	McCulloch,	Tufts,
Ebbighausen,	Newman,	Ueland,
Elliott,	O'Keefe,	Wallen,
Hagen,	Oksendahl,	Wright.
Hodgson,	Rinde,	

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Churchill,	Johnson of G'd Forks,	Plain,
Deans,	Johnston,	Satterlund,
Hall,	Kelly,	Thexton,
Hallum,	Lee,	Veeder,
Halvorson,	Lohnes,	Wineman,
Holliday,	McLean,	Wishek,
Horgan,	Oliver,	Yegen,
James,	Pierce,	Mr. Speaker.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Davis,	Havrevold,	Ritter,
Haugen,	Levang,	Southard.

Messrs. Ritter and Southard being excused.

So the motion prevailed, and the motion to indefinitely postpone was laid upon the table.

Mr. Oliver moved

As a substitute that the House do now resolve itself into Committee of the Whole to consider Senate Bill No. 158,

Roll call demanded.

The roll being called there were ayes 22, nays 28.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Boynton,	Larson,	Simpson,
Ebbighausen,	Lohnes,	Thexton,
Hall,	McLean,	Veeder,
Hallum,	Oliver,	Wineman,
Holliday,	Pierce,	Wishek,
Horgan,	Plain,	Yegen,
James,	Satterlund,	Mr. Speaker.
Johnson of G'd Forks,		

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hodgson,	Sanford,
Bentley,	Hurley,	Severson,
Bullard,	Johnson of Sargent,	Strom,
Burkhardt,	Kelly,	Thompson,
Caldwell,	Logan,	Towers,
Cochrane,	McArthur,	Tufts,
Deans,	McCanna,	Ueland,
Elliott,	McCulloch,	Wallen,
Hagen,	Rinde,	Wright.
Halvorson,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Churchill,	Johnston,	O'Keefe,
Davis,	Lee,	Oksendahl,
Haugen,	Levang,	Ritter,
Havrevold,	Newman,	Southard.

Messrs. Ritter and Southard being excused.

So the motion was lost.

Mr. Wineman moved

That the House do now adjourn,

Which motion was lost.

Mr. Speaker announced his signature to the following Senate Bills:

Senate Bill No. 123,

A bill for an act to establish a school of mines at the city of Grand Forks and to provide for its support and management and creating the office of State Geologist.

Also,

Senate Bill No. 109,

A bill for an act to amend section 45 of chapter 62 of the General Laws of 1890.

Also,

Senate Bill No. 103,

A bill for an act to provide for the purchase of a site and for the erection of a State elevator at Duluth, Minnesota, or West Superior, Wisconsin, for public storage and the shipment of wheat, and the regulation thereof, and to appropriate money for that purpose.

Also,

Senate Bill No. 66,

A bill for an act relating to the sale of city, town and village water works.

Also,

Senate Bill No. 141,

A bill for an act to amend section 1 of chapter 78 of the General Laws of 1890, entitled "An act to amend section 16 of chapter 69 of the General Laws of 1885, and section 10 of chapter 69 of the General Laws of 1889, relating to publication of insurance statements.

Also,

Senate Bill No. 93,

A bill for an act to amend section 9 of chapter 24 of the Political Code, being section 1030 of the Compiled Laws, as to the incorporation of towns.

The Committee on Enrolled Bills made the following report:

MR. SPEAKER:

Your Committee on Enrolled Bills report that at the hour of 11 o'clock they delivered to the Governor for his signature the following House bills:

House Bill No. 131,

A bill for an act to amend and re-enact chapter 140 of the Laws of 1890.

Also,

Substitute for House Bill No. 2,

A bill for an act to provide for the right of erection of grain warehouses and elevators on the right of way of railroad corporations and contiguous thereto.

Also,

House Bill No. 133,

A bill for an act to amend and re-enact sections 2, 6 and 7 of article 9 of chapter 73 of the Laws of 1887, being sections 917, 921 and 922 of the Compiled Laws.

Also,

House Bill No. 241,

A bill for an act to revise and consolidate the Laws of this State providing for the drainage of swamps, marshes and other low lands and to repeal the act of March, one thousand eight hundred eighty-three (Laws of 1883, chapter 75, page 177), and all amendments thereof.

Also,

House Bill No. 34,

A bill for an act to encourage the development of the coal mines of the State, and to determine the kind of coal that shall be used in the various State institutions, county buildings and public schools of the State.

Also,

House Bill No. 98,

A bill for an act providing for the removal of obstructions to natural waterways.

Also,

House Bill No. 40,

A bill for an act to reimburse Lieut. Leon S. Roudiez for room rent.

Substitute for House Bill No. 182,

A bill for an act appropriating \$60 to reimburse J. B. Sinclair, messenger of the House, for expenses incurred in transmitting House matters to and from the Capitol and printing office.

Also,

House Bill No. 191,

A bill for an act to amend section 60 of chapter 86 of the Laws of 1891, entitled "An act to provide a military code for the State of North Dakota."

Also,

House Bill No. 78,

A bill for an act to enable county commissioners to present the listing, assessment, advertisement and selling at tax sales of lots according to their subdivisional description in certain cases.

Also,

House Bill No. 41,

A bill for an act to amend section 7 of chapter 25 of the General Laws of 1890, entitled "An act providing for the organization and fixing and defining the powers and duties of the Board of University and School Lands, and making an appropriation therefor."

Also,

House Bill No. 22,

A bill for an act entitled "An act exempting volunteer firemen from jury duty and from paying poll tax."

Also,

At the hour of 2 o'clock and fifteen minutes the following:

House Bill No. 62,

A bill for an act providing an appropriation for the manufacture of potato starch in the State of North Dakota.

Also,

House Bill No. 186,

A bill for an act entitled "An act to provide for and establish an industrial school and school for manual training at Ellendale, in the county of Dickey and State of North Dakota, as provided for in subdivision 3 of section 16 of the Constitution of this State.

Also,

House Bill No. 246,

A bill for an act authorizing the refunding of outstanding city bonds and warrants.

Also,

House Bill No. 177,

A bill for an act making an appropriation to pay certain expenses incurred by the Third Legislative Assembly of the State of North Dakota.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER, }
Bismarck, March 3, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith

House Bill No. 92,

A bill for an act to regulate the terms of district court to be held in the several counties constituting the Fourth Judicial District.

Also,

House Bill No. 108,

A bill for an act to provide for the collection of vital statistics,

Which the Senate has passed unchanged.

Respectfully,

FRED FALLEY,
Secretary.

Mr. Hurley moved

That the House take a recess for ten minutes,

Which motion prevailed.

House called to order.

Senate Bill No. 64,

A bill for an act providing for the appointment of notaries public and providing a penalty for violation of the provisions thereof,

Was read the third time and placed upon its final passage.

Mr. Ueland moved
A call of the House.

Call seconded.

Mr. Hodgson moved

That further proceedings under call of the House be dispensed with,

Which motion was lost.

Mr. Ueland moved

That further proceedings under call of the House be dispensed with,

Which motion was lost.

Mr. Wright moved

That further proceedings under call of the House be dispensed with,

Which motion prevailed.

Mr. Speaker announced his signature to
Senate Bill No. 49,

A bill for an act prescribing the compensation of the Lieutenant-Governor while acting as Governor.

Also,

Senate Bill No. 127,

A bill for an act to amend chapter 126 of the Session Laws of 1890, being an act entitled "An act to provide for a transfer of freight at railroad crossings and the maintenance of depots at the same." The purpose of this amendment being to do all proceedings in court and to limit such act to the purpose of building Y's and proper connecting tracks between all railways crossing each other in this State and to require transportation from one road to another over such Y's or connections at \$1 per car and to equally apportion the freight rate between the different railways of the State where such connections are made on the basis of the rules of transit by each.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

SENATE CHAMBER,
Bismarck, March 3, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith
House Bill No. 201,

A bill for an act providing for a State bounty for the destruction of wolves.

Also,

House Bill No. 18,

A bill for an act to amend chapter 26 of the General Laws of 1889,

entitled "An act to give publicity to chattel mortgage sales, as amended by chapter 40 of the General Laws of 1890, by adding after section 9 of said chapter 26 the following sections as sections 10, 11 and 12 of said chapter 26."

Also,

House Bill No. 198,

A bill for an act to appropriate the sum of \$146.10 for services and expenses as member of investigation committee, appointed by the Governor, in accordance with concurrent resolution of this Legislative Assembly.

House Bill No. 166,

A bill for an act naming a uniform title for the governing boards of the State educational institutions and designating certain ex-officio members of State boards,

Which the Senate has passed unchanged.

Respectfully,

FRED FALLEY,
Secretary.

Mr. Simpson moved

That Senate Bill No. 158 be recalled from the Senate.

Roll call demanded.

The roll being called there were ayes 33, nays 20.

Those who voted in the affirmative were:

Messrs—

Burkhardt,
Churchill,
Cochrane,
Ebbighausen,
Hall,
Halvorson,
Holliday,
Horgan,
Hurley,
James,
Johnson of G'd Forks,

Messrs—

Johnston,
Kelly,
Larson,
Lee,
Levang,
Lohnes,
McLean,
Newman,
O'Keefe,
Oksendahl,
Oliver,

Messrs—

Pierce,
Plain,
Sanford,
Satterlund,
Severson,
Simpson,
Veeder,
Wineman,
Wishek,
Yegen,
Mr. Speaker.

Those who voted in the negative were:

Messrs—

Benedict,
Boynton,
Bullard,
Caldwell,
Deans,
Elliott,
Hagen,

Messrs—

Haugen,
Hodgson,
Johnson of Sargent,
Logan,
McArthur,
McCanna,
McCulloch,

Messrs—

Rinde,
Strom,
Thompson,
Ueland,
Wallen,
Wright.

Absent and not voting:

Messrs—

Bentley,
Davis,
Hallum,

Messrs—

Havrevold,
Ritter,
Southard,

Messrs—

Thexton,
Towers,
Tufts.

Messrs. Ritter and Southard being excused.

So the motion to recall from the Senate prevailed.

Mr. Caldwell moved a call of the House.

Call seconded.

Roll called.

All members present except Messrs. Bullard, Burkhardt, Davis, Ebbighausen, Hall, Hallum, Haugen, Havrevold, Hodgson, Horgan, Johnson of Grand Forks, Johnston, Lee, Levang, McCanna, McLean, Oliver, Rinde, Ritter, Sanford, Satterlund, Severson, Southard, Strom, Thompson, Tufts, Wishek.

Messrs. Ritter and Southard being excused.

Mr. Speaker announced his signature to
House Bill No. 90,

A bill for an act to amend article 16 of chapter 73 of the Laws of 1887, being sections 1000, 1001, 1002 to 1007, inclusive, of the Compiled Laws of the State of North Dakota, and to re-enact the same as so amended.

Also,
House Bill No. 250,

A bill for an act to provide for the acquiring, holding and transferring of real estate by aliens.

Also,
House Bill No. 7,

A bill for an act to require the county treasurers to deposit the county funds in designated depositories.

Also,
House Bill No. 189,

A bill for an act to amend sections 3, 5, 8, 10, 11 and 12 of chapter 108 of the Laws of 1890, entitled "An act to regulate the practice of pharmacy, the licensing of persons to carry on such practice and the sale of poisons in the State of North Dakota.

Also,
House Bill No. 74,

A bill for an act to require all railways in this State to run a train for freight and passenger traffic over their roads and all lines and branches thereof during each week day of the year.

Also,
House Bill No. 212,

A bill for an act to amend section 2 of chapter 107 of the Session Laws of 1890, entitled "An act to provide for the inspection of illuminating oils manufactured from petroleum or coal oils, for the purposes of raising the tests of oils.

Also,
House Bill No. 139,

A bill for an act to amend section 62 of chapter 132 of the Laws of 1890, and to add another section thereto, regulating fees of officers under said act.

Also,
Substitute for House Bill No. 14.

A bill for an act to amend and re-enact sections 248 and 249 of the Code of Civil Procedure, being sections 5048 and 5049 of the Compiled Laws.

Also,
House Bill No. 123,

A bill for an act to legalize and confirm town site proceedings and to limit the time within which the validity thereof may be questioned,

The Committee on Enrolled Bills made the following report:

MR. SPEAKER:

Your Committee on Enrolled Bills have examined
House Bill No. 212,

A bill for an act to amend section 2 of chapter 107 of the Session Laws of 1890, entitled "An act to provide for the inspection of illuminating oils manufactured from petroleum or coal oils, for the purpose of raising the tests of oils.

Also,
House Bill No. 138,

A bill for an act to authorize boards of county commissioners in counties that contain a population of less than six thousand, as shown by the census of 1890, to dispose of and tear down buildings owned by the county and not used for county purposes, when petitioned therefor by one hundred or more of the voters of the county, when the public interest and public safety will thereby be promoted.

Also,
Substitute for House Bill No. 14,

A bill for an act to amend and re-enact sections 248 and 249 of the Code of Civil Procedure, being sections 5048 and 5049 of the Compiled Laws.

Also,
House Bill No. 123,

A bill for an act to legalize and confirm townsite proceedings and to limit the time within which the validity thereof may be questioned.

Also,
House Bill No. 189,

A bill for an act to amend sections 3, 5, 8, 10, 11 and 12 of chapter 108, Laws of 1890, entitled "An act to regulate the practice of pharmacy, the licensing of persons to carry on such practice and sale of poisons in the State of North Dakota," approved March 20, 1890.

Also,

House Bill No. 74,

A bill for an act to require all railways in this State to run a train for freight and passenger traffic over their roads and all lines and branches thereof during each week day of the year.

Also,

House Bill No. 90,

A bill for an act to amend article 16 of chapter 73 of the Laws of 1887, being sections 1000, 1001, 1002 to 1007, inclusive, of the Compiled Laws of the State of North Dakota, and to re-enact the same as so amended.

Also,

House Bill No. 252,

A bill for an act for better improvements of public highways.

Also,

House Bill No. 7,

A bill for an act providing for proposals for loaning county funds and defining the duties of the county auditor, treasurer and county commissioners with reference thereto, and repealing chapter 20 of the Special Laws of Dakota Territory for the year 1885,
 * And find the same correctly enrolled.

ARNE P. HAUGEN,
 Chairman.

The question being upon the final passage of Senate bill No. 64.

The roll being called there were ayes 26, nays 8.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	McCanna,	Strom,
Bentley,	McLean,	Thexton,
Boynton,	O'Keefe,	Towers,
Burkhardt,	Pierce,	Ueland,
Hagen,	Plain,	Veeder,
Hurley,	Rinde,	Wishek,
James,	Sanford,	Wright,
Johnson of Sargent,	Satterlund,	Yegen.
Kelly,	Simpson,	

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Caldwell,	Halvorson,	Oskendahl,
Churchill,	Larson,	Mr. Speaker.
Deans,	McArthur,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bullard,	Holliday,	Newman,
Cochrane,	Horgan,	Oliver,
Davis,	Johnson of G'd Forks,	Ritter,
Ebbighausen,	Johnston,	Severson,
Elliott,	Lee,	Southard,
Hall,	Levang,	Thompson,

Messrs—	Messrs—	Messrs—
Hallum,	Logan,	Tufts,
Haugen,	Lohnes,	Wallen,
Havrevold,	McCulloch,	Wineman.
Hodgson,		

Messrs. Ritter and Southard being excused.

So the bill was lost.

Mr. Newman moved

To reconsider the vote by which Senate Bill No. 64 was lost,

Which motion prevailed.

The question being upon the final passage of the bill.

The roll being called there were ayes 40, nays 1.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Johnson of Sargent,	Severson,
Bentley,	Johnston,	Simpson,
Boynton,	Larson,	Strom,
Bullard,	Lee,	Thexton,
Caldwell,	McArthur,	Thompson,
Churchill,	Newman,	Towers,
Cochrane,	O'Keefe,	Ueland,
Ebbighausen,	Oksendahl,	Veeder,
Hagen,	Pierce,	Wallen,
Halvorson,	Plain,	Wishek,
Holliday,	Rinde,	Wright,
Horgan,	Sanford,	Yegen,
Hurley,	Satterlund,	Mr. Speaker.
James,		

Mr Deans voting in the negative.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Burkhardt,	Hodgson,	McCulloch,
Davis,	Johnson of G'd Forks	McLean,
Elliott,	Kelly,	Oliver,
Hall,	Levang,	Ritter,
Hallum,	Logan,	Southard,
Haugen,	Lohnes,	Tufts,
Havrevold,	McCanna,	Wineman.

Messrs. Ritter and Southard being excused.

So the bill passed and the title was agreed to.

Mr. Plain moved

That the House concur in the Senate amendments to House Bill No. 139,

Which motion prevailed.

The question being upon the final passage of House Bill No. 139,

A bill for an act to amend section 62 of chapter 132 of the Laws of 1890, and to add another section thereto regulating fees of officers under said act,

As amended by the Senate.

The roll being called there were ayes 37, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Levang,	Severson,
Boynton,	Lohnes,	Simpson,
Bullard,	McArthur,	Strom,
Churchill,	McCulloch,	Thexton,
Ebbighausen,	Newman,	Thompson,
Hagen,	O'Keefe,	Towers,
Hall,	Oksendahl,	Ueland,
Halvorson,	Pierce,	Veeder,
Holliday,	Plain,	Wallen,
Horgan,	Rinde,	Wishek,
Hurley,	Sanford,	Wright,
James,	Satterlund,	Mr. Speaker.
Johnson of Sargent,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Havrevold,	McCanna,
Burkhardt,	Hodgson,	McLean,
Caldwell,	Johnson of G'd Forks,	Oliver,
Cochrane,	Johnston,	Ritter,
Davis,	Kelly,	Southard,
Deans,	Larson,	Tufts,
Elliott,	Lee,	Wineman,
Hallum,	Logan,	Yegen.
Haugen,		

Messrs. Ritter and Southard being excused.

So the bill as amended by the Senate passed and the title was agreed to.

Senate Bill No. 96,

A bill for an act to amend section 3 of chapter 53 of the General Laws of 1887, entitled "An act to appropriate for the support of fire departments in each city, town or village a part of the tax paid by fire insurance companies upon premiums received in any such city, town or village,"

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 40, nays 2.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Lee,	Severson,
Bentley,	Levang,	Simpson,
Boynton,	Logan,	Strom,
Bullard,	Lohnes,	Thexton,
Churchill,	McArthur,	Towers,
Deans,	McCanna,	Ueland,
Hagen,	McCulloch,	Veeder,
Hodgson,	Newman,	Wallen,
Holliday,	O'Keefe,	Wineman,
Horgan,	Oksendahl,	Wishek,

Messrs—	Messrs—	Messrs—
Hurley,	Pierce,	Wright,
James,	Plain,	Yegen,
Johnson of Sargent,	Sanford,	Mr. Speaker.
Kelly,		

Messrs. McLean and Rinde voting in the negative.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Burkhardt,	Hallum,	Oliver,
Caldwell,	Halvorson,	Ritter,
Cochrane,	Haugen,	Satterlund,
Davis,	Havrevold,	Southard,
Ebbighausen,	Johnson of G'd Forks,	Thompson,
Elliott,	Johnston,	Tufts.
Hall,	Larson,	

Messrs. Ritter and Tufts being excused.

So the bill passed and the title was agreed to.

Mr. Ueland moved

To amend House Bill No. 129 by adding the following emergency clause:

EMERGENCY CLAUSE.

There being no law providing for the conducting of Institutes; *Therefore*, An emergency exists, and this law shall take effect from and after its passage and approval,

Which motion prevailed, and
The emergency clause was added.

The question being upon the passage of
House Bill No. 129,

A bill for an act to amend section 137 of chapter 13 of the Laws of 1891, as amended.

The roll being called there were ayes 43, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Horgan,	Sanford,
Bentley,	Hurley,	Severson,
Boynton,	James,	Strom,
Bullard,	Johnson of Sargent,	Thompson
Caldwell,	Johnson of G'd Forks,	Towers,
Churchill,	Larson,	Tufts,
Cochrane,	Logan,	Ueland,
Deans,	Lohnes,	Veeder,
Ebbighausen,	McArthur,	Wallen,
Elliott,	McCulloch,	Wineman,
Hagen,	Newman,	Wishek,
Hallum,	Oksendahl,	Wright.
Halvorson,	Pierce,	Yegen,
Hodgson,	Plain,	Mr. Speaker.
Holliday,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Burkhardt,	Lee,	Rinde,
Davis,	Levang,	Ritter.
Hall,	McCanna,	Satterlund,
Haugen,	McLean,	Simpson,
Hayrevold,	O'Keefe,	Southard,
Johnston,	Oliver,	Thexton.
Kelly,		

Messrs. Ritter and Southard being excused.

So the bill passed as amended and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER, }
Bismarck, March 3, 1893. }

MR. SPEAKER:

I have the honor to inform you

That the Senate by vote has refused to grant the request of the House for the return of

Senate Bill No. 158,

A bill for an act entitled "An act granting the right of suffrage to women."

Respectfully,

FRED FALLEY,
Secretary.

Mr. Ueland moved

That the vote by which House Bill No. 129 passed be reconsidered and the motion to reconsider be laid upon the table,

Which motion prevailed.

Mr. Simpson moved

That a Special Committee of three be appointed to wait upon the Senate and inquire why it has refused to return Senate Bill No. 158.

Mr. Ueland moved

To lay the motion upon the table.

Roll call demanded.

The roll being called there were ayes 15, nays 35.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Bullard,	Johnson of Sargent,	Rinde,
Caldwell,	Logan,	Thompson,
Elliott,	McArthur,	Ueland,
Hagen,	McCanna,	Wallen,
Hodgson,	McCulloch,	Wright.

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Burkhardt,	Johnston,	Severson,
Churchill,	Kelly,	Simpson,
Cochrane,	Lohnes,	Strom,

Messrs—	Messrs—	Messrs—
Deans,	McLean,	Thexton,
Ebbighausen,	Newman,	Towers,
Hall,	O'Keefe,	Tufts,
Hallum,	Oksendahl,	Veeder,
Holliday,	Oliver,	Wineman,
Horgan,	Pierce,	Wishek,
Hurley,	Plain,	Yegen,
James,	Sanford,	Mr. Speaker.
Johnson of G'd Forks,	Satterlund,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Benedict,	Halvorson,	Lee,
Bentley,	Haugen,	Levang,
Boynton,	Havrevold,	Ritter,
Davis,	Larson,	Southard.

Messrs. Ritter and Southard being excused.

So the motion to lay upon the table was lost.

The question recurring upon the motion to appoint a special committee to wait upon the Senate.

Roll call demanded.

The roll being called there were ayes 35, nays 18.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Bentley,	Johnson of G'd Forks,	Pierce,
Churchill,	Johnston,	Plain,
Cochrane,	Kelly,	Sanford,
Deans,	Larson,	Satterlund,
Ebbighausen,	Lee,	Severson,
Hall,	Levang,	Simpson,
Hallum,	Lohnes,	Veeder,
Halvorson,	McLean,	Wineman,
Holliday,	Newman,	Wishek,
Horgan,	O'Keefe,	Yegen,
Hurley,	Oksendahl,	Mr. Speaker.
James,	Oliver,	

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Boynton,	Johnson of Sargent,	Thompson,
Bullard,	Logan,	Towers,
Caldwell,	McArthur,	Tufts,
Davis,	McCanna,	Ueland,
Hagen,	McCulloch,	Wallen,
Hodgson,	Rinde,	Wright.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Benedict,	Haugen,	Southard,
Burkhardt,	Havrevold,	Strom,
Elliott,	Ritter,	Thexton.

Messrs. Ritter and Southard being excused.

So the motion prevailed, and

Mr. Speaker appointed as such committee Messrs. Simpson, McLean and Wineman.

Mr. Ueland moved
That the committee be requested to fix report immediately,
Which motion prevailed.

The Committee on Enrolled Bills made the following report:

MR. SPEAKER:

Your Committee on Enrolled Bills report that at the hour of 4:20 they delivered to the Governor for his signature the following bills:

House Bill No. 189,

A bill for an act to amend sections 3, 5, 8, 10, 11 and 12 of chapter 108 of the Laws of 1890, entitled "An act to regulate the practice of pharmacy, the licensing of persons to carry on such practice and the sale of poisons in the State of North Dakota."

Also,

House Bill No. 74,

A bill for an act to require all railways in this State to run a train for freight and passenger traffic over their roads and all lines and branches thereof during each week day of the year.

Also,

House Bill No. 90,

A bill for an act to amend article 16 of chapter 73 of the Laws of 1887, being sections 1000, 1001, 1002 to 1007, inclusive, of the Compiled Laws of the State of North Dakota, and to re-enact the same as so amended.

Also,

House Bill No. 252,

A bill for an act to provide for the better improvement of public highways.

Also,

House Bill No. 7,

A bill for an act to require the county treasurers to deposit the county funds in designated depositories.

Also,

House Bill No. 212,

A bill for an act to amend section 2 of chapter 107 of the Session Laws of 1890, entitled "An act to provide for the inspection of illuminating oils manufactured from petroleum or coal oils, for the purpose of raising the tests of oils."

Also,

House Bill No. 138,

A bill for an act to authorize boards of county commissioners in counties that contain a population of less than six thousand, as shown by the census of 1890, to dispose of and tear down buildings owned by the county and not used for county purposes, when petitioned therefor by one hundred or more of the voters of the

county, when the public interest and public safety will thereby be promoted.

Also,

Substitute for House Bill No. 14,

A bill for an act to amend and re-enact sections 248 and 249 of the Code of Civil Procedure, being sections 5048 and 5049 of the Compiled Laws.

Also,

House Bill No. 123,

A bill for an act to legalize and confirm town site proceedings and to limit the time within which the validity thereof may be questioned.

And find the same correctly enrolled.

ARNE P. HAUGEN,
Chairman.

Mr. Speaker announced an informal recess.

House reassembled.

Mr. Speaker announced his signature to

House Bill No. 233,

A bill for an act to amend section 91 of chapter 132 of the Laws of 1890, being an act entitled "An act prescribing the mode of making assessment and the levy and collection of taxes and for other purposes relating thereto."

Also,

House Bill No. 198,

A bill for an act to appropriate the sum of one hundred and forty-six and 10-100 dollars for service and expenses as a member of the investigation committee appointed by the Governor in accordance with concurrent resolution of this Legislative Assembly.

Also,

House Bill No. 92,

A bill for an act to regulate the terms of district court to be held in the several counties constituting the Fourth Judicial District.

Also,

House Bill No. 32,

A bill for an act to amend section 5, chapter 100, of the Session Laws of 1890, providing for the collection of city and school taxes.

Also,

House Bill No. 184,

A bill for an act to amend divisions 1 and 2 of section 16 of an act entitled "An act prescribing the mode of making assessments and the levy and collection of taxes, and for other purposes relative thereto."

Also,

House Bill No. 55,

A bill for an act providing for a State Examiner, defining his duties and fixing his compensation and bond.

Also,

House Bill No. 149,

A bill for an act authorizing the appointment of stenographers for the district courts of this State and prescribing their duties and compensation, and repealing chapter 52 of the Laws of 1879, being sections 481, 482, 483, 484, 485 and 486 of the Compiled Laws of 1887 in relation thereto.

The Committee on Enrolled Bills made the following report:

MR. SPEAKER:

Your Committee on Enrolled Bills have examined

House Bill No. 233,

A bill for an act to amend section 91 of chapter 132 of the Laws of 1890, being an act entitled "An act prescribing the mode of making assessment and the levy and collection of taxes and for other purposes relating thereto.

Also,

House Bill No. 198,

A bill for an act to appropriate the sum of \$146.10 for services and expenses as member of investigation committee appointed by the Governor in accordance with concurrent resolution of this Legislature of date January 23, 1893.

Also,

House Bill No. 92,

A bill for an act to regulate the terms of district court to be held in the several counties constituting the Fourth judicial district.

Also,

House Bill No. 32,

A bill for an act to amend section 3 of chapter 100 of the Session Laws of 1890, providing for the collection of city and school taxes.

Also,

House Bill No. 184,

A bill for an act to amend first and second divisions of section 16, chapter 132, Laws of 1890.

Also,

House Bill No. 55,

A bill for an act providing for a State Examiner, defining the duties and fixing his compensation and bond,

Also,

House Bill No. 149,

A bill for an act authorizing the appointment of stenographers for the district courts of the State and prescribing their duties and

compensation and repealing chapter 52, Laws of 1879, being sections 481, 482, 483, 484, 485 and 486 of the Compiled Laws of 1887 in relation thereto,

And find the same correctly enrolled.

ARNE P. HAUGEN,
Chairman.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER, }
Bismarck, March 3, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith
House Bill No. 174,

A bill for an act fixing the maximum rates that railroad companies may charge for the transportation of coal mined within the State of North Dakota,

Which the Senate has amended and passed.

The amendments are attached to the bill.

Respectfully,
FRED FALLEY,
Secretary.

Senate amendment to House Bill No. 174:

Amend section 1 by striking out line 1 and balance of section and insert in lieu thereof the following:

(Maximum Coal Rates.) All railroad companies doing business as common carriers within the State of North Dakota shall not charge for the transportation of coal mined within the State from station or siding within the State to any station or siding within the State a greater rate per ton than the following: For the first fifty miles or fractional part thereof, seventy-five (75) cents per ton; for any distance over fifty miles and not to exceed 100 miles, ninety-five (95) cents per ton; for any distance over 100 miles and not to exceed 150 miles, one dollar and fifteen cents (\$1.15) per ton; for any distance over 150 miles and not to exceed 200 miles, one dollar and thirty-five cents (\$1.35) per ton; for any distance over 200 miles and not to exceed 250 miles, one dollar and fifty-five cents (\$1.55) per ton; for any distance over 250 miles and not to exceed 300 miles, one dollar and seventy-five cents (\$1.75) per ton; for any distance over 300 miles and not to exceed 350 miles, one dollar and ninety-five cents (\$1.95) per ton; for any distance over 350 miles and not to exceed 400 miles, two dollars and fifteen cents (\$2.15) per ton.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER, }
Bismarck, March 3, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith
House Bill No. 239,

A bill for an act to amend section 79 of chapter 132 of the Laws of 1890, being an act entitled "An act prescribing the mode of

making assessment and the levy and collection of taxes and for other purposes relative thereto,"

Which the Senate has passed without change.

Respectfully,
FRED FALLEY,
Secretary.

Mr. Oliver offered the following resolution:

Resolved, That the Speaker and Chief Clerk of the House be instructed not to sign Senate Bill No. 158 until the Senate complies with the request of this House to return the same.

Mr. Oliver moved
That the resolution be adopted.

Mr. McCulloch moved
As a substitute, that the motion to adopt the resolution be laid upon the table.

Roll call demanded.

The roll being called there were ayes 18; nays 39.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Boynton,	Logan,	Thompson,
Caldwell,	McArthur,	Towers,
Elliott,	McCanna,	Tufts,
Hagen,	McCulloch,	Ueland,
Hodgson,	Rinde,	Wallen,
Johnson of Sargent,	Strom,	Wright.

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Benedict,	Horgan,	Oliver,
Bentley,	Hurley,	Pierce,
Bullard,	James,	Plain,
Burkhardt,	Johnson of G'd Forks,	Sanford,
Churchill,	Johnston,	Satterlund,
Cochrane,	Kelly,	Severson,
Deans,	Larson,	Simpson,
Ebbighausen,	Lee,	Thexton,
Hall,	Levang,	Veeder,
Hallum,	McLean,	Wineman,
Halvorson,	Newman,	Wishek,
Havrevold,	O'Keefe,	Yegen.
Holliday,	Oksendahl,	Mr. Speaker.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Davis,	Lohnes,	Southard.
Haugen,	Ritter.	

Messrs. Ritter and Southard being excused.

So the motion to lay the resolution on the table was lost.

The question recurring upon the adoption of the resolution.

Roll call demanded.

The roll being called there were ayes 35, nays 18.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Burkhardt,	James,	Pierce,
Churchill,	Johnson of G'd Forks,	Plain,
Cochrane,	Johnston,	Sanford,
Deans,	Kelly,	Satterlund
Ebbighausen,	Larson,	Severson.
Hall,	Lee,	Simpson,
Hallum,	Levang,	Veeder,
Halvorson,	McLean,	Wineman,
Havrevold,	Newman,	Wishek,
Holliday,	O'Keefe,	Yegen,
Horgan,	Oksendahl,	Mr. Speake
Hurley,	Oliver,	

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Boynton,	Johnson of Sargent,	Strom,
Bullard,	Logan,	Towers,
Caldwell,	McArthur,	Tufts,
Elliott,	McCanna,	Ueland,
Hagen,	McCulloch,	Wallen.
Hodgson,	Rinde,	Wright.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Benedict,	Haugen,	Southard,
Bentley,	Lohnes,	Thexton,
Davis,	Ritter,	Thompson.

Messrs. Ritter and Southard being excused.

So Mr. Speaker declared the resolution adopted.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

SENATE CHAMBER, }
Bismarck, March 3, 1893. }

MR. SPEAKER:

I have the honor to inform the House that the Senate has concurred in the House amendments to House Bill No. 129.

Respectfully,
FRED FALLEY,
Secretary.

SENATE CHAMBER, }
Bismarck, March 3, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith
House Bill No. 4,

A bill for an act entitled "An act creating the office of State Board of Auditors, and prescribing the duties thereof."

Which the Senate has passed unchanged.

Respectfully,
FRED FALLEY,
Secretary.

Mr. Speaker announced his signature to
Senate Bill No. 64,

A bill for an act providing for the appointment of notaries public
and providing a penalty for violation of the provisions thereof.

Also,

House Bill No. 129,

A bill for an act to amend section 137 of chapter 13 of the Laws
of 1891.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER, }
Bismarck, March 3, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith

House Bill No. 94,

A bill for an act to establish city boards of health.

Also,

House Bill No. 9,

A bill for an act regulating the liability of railroad companies or
corporations for damages caused by fire escaping from their cars or
engines, and the rules of evidence relating thereto,

Which the Senate has passed unchanged.

Respectfully,
FRED FALLEY,
Secretary.

Mr. Ueland moved

That the House take a recess until 7:30 p. m.,

Which motion was lost.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER, }
Bismarck, March 3, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith

House Bill No. 199,

A bill for an act to appropriate the sum of \$170.20 for services
and expenses as member of investigation committee, appointed by
the Governor, in accordance with concurrent resolution of this
Legislative Assembly,

Which the Senate has passed unchanged.

Respectfully,
FRED FALLEY,
Secretary.

Mr. McLean moved

That the House take a recess until 7:30 p. m.,

Which motion prevailed, and

The House took a recess.

House reassembled at 7:30 o'clock p. m.

Senate Bill No. 78,

A bill for an act to amend paragraph 40 of chapter 68 of the Laws of 1891,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 39, nays 2.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Johnson of G'd Forks,	Simpson,
Boynton,	Johnston,	Strom,
Burkhardt,	Larson,	Thompson,
Churchill,	Lohnes,	Towers,
Cochrane,	McCanna,	Tufts,
Deans,	McCulloch,	Ueland,
Hall,	McLean,	Veeder,
Havrevold,	Newman,	Wallen,
Hodgson,	Oksendahl,	Wineman,
Holliday,	Pierce,	Wishek,
Hurley,	Plain,	Wright,
James,	Rinde,	Yegen,
Johnson of Sargent,	Satterlund,	Mr. Speaker.

Messrs. Elliott and Hagen voting in the negative.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Haugen,	O'Keefe,
Bullard,	Horgan,	Oliver,
Caldwell,	Kelly,	Ritter,
Davis,	Lee,	Sanford,
Ebbighausen,	Levang,	Severson,
Hallum,	Logan,	Southard,
Halvorson,	McArthur,	Thexton.

Messrs. Ritter and Southard being excused.

So the bill passed and the title was agreed to.

Mr. Speaker announced his signature to

Senate Bill No. 169,

A bill for an act for the preservation, propagation and protection of game and fish in the State of North Dakota.

Senate Bill No. 166,

A bill for an act authorizing cities to levy and collect an annual poll tax,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 44, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Johnson of G'd Forks,	Satterlund,
Bentley,	Larson,	Simpson,
Burkhardt,	Lee,	Strom,
Caldwell,	Levang,	Thompson,
Churchill,	Logan,	Towers,
Cochrane,	Lohnes,	Tufts,
Deans,	McCulloch,	Ueland,
Ebbighausen,	McLean,	Veeder,
Hagen,	Newman,	Wallen,
Hallum,	O'Keefe,	Wineman,
Havrevold,	Oksendahl,	Wishek,
Horgan,	Pierce,	Wright,
Hurley,	Plain,	Yegen,
James,	Rinde,	Mr. Speaker.
Johnson of Sargent,	Sanford,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Haugen,	McCanna,
Bullard,	Hodgson,	Oliver,
Davis,	Holliday,	Ritter,
Elliott,	Johnston,	Severson,
Hall,	Kelly,	Southard,
Halvorson,	McArthur.	Thexton.

Messrs. Ritter and Southard being excused.

So the bill passed and the title was agreed to.

Mr. Speaker announced his signature to
Senate Bill No. 108,

A bill for an act to regulate the sale and redemption of transportation tickets of common carriers.

Also,
Senate Bill No. 60,

A bill for an act defining the powers and prescribing the duties of the State Treasurer.

Also,
Senate Bill No. 96,

A bill for an act to amend section 3 of chapter 53 of the General Laws of 1887, entitled "An act to appropriate for the support of fire departments in each city, town or village a part of the tax paid by fire insurance companies upon premiums received in any such city, town or village."

Also,
Senate Bill No. 94,

A bill for an act to amend sections 1 and 30 of chapter 132 of the Session Laws of 1890, being an act entitled "An act prescribing the mode of making assessment, and the levy and collection of taxes, and for the purposes relative thereto."

Senate Bill No. 39,

A bill for an act to amend section 3401 of chapter 3 of the Compiled Laws of 1887, relating to the succession of real and personal property,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 41, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hurley,	Plain,
Bentley,	James,	Sanford,
Boynton,	Johnson of Sargent,	Satterlund,
Bullard,	Johnson of G'd Forks,	Thexton,
Burkhardt,	Johnston,	Thompson,
Caldwell,	Larson,	Towers,
Churchill,	Lee,	Ueland,
Cochrane,	Logan,	Veeder,
Deans,	McCanna,	Wallen,
Elliott,	McLean,	Wineman,
Hagen,	Newman,	Wright,
Hallum,	O'Keefe,	Yegen,
Havrevold,	Oksendahl,	Mr. Speaker.
Holliday,	Pierce,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Davis,	Kelly,	Ritter,
Ebbighausen,	Levang,	Severson,
Hall,	Lohnes,	Simpson,
Halvorson,	McArthur,	Southard,
Haugen,	McCulloch,	Strom,
Hodgson,	Oliver,	Tufts,
Horgan,	Rinde,	Wishek.

Messrs. Ritter and Southard being excused.

So the bill passed and the title was agreed to.

The Committee on Enrolled Bills made the following report:

MR. SPEAKER:

Your Committee on Enrolled Bills report that at the hour of 8:05 they delivered to the Governor, for his signature, the following bills:

House Bill No. 32,

A bill for an act to amend section 5, chapter 100 of the Session Laws of 1890, providing for the collection of city and school taxes.

Also,

House Bill No. 184,

A bill for an act to amend divisions 1 and 2 of section 16 of an act entitled "An act prescribing the mode of making assessment and the levy and collection of taxes, and for other purposes relative thereto."

Also,

House Bill No. 55,

A bill for an act providing for a State Examiner, defining his duties and fixing his compensation and bond.

Also,

House Bill No. 149,

A bill for an act authorizing the appointment of stenographers for the district courts of this State and prescribing their duties and compensation, and repealing chapter 52 of the laws of 1879, being sections 481, 482, 483, 484, 485 and 486 of the Compiled Laws of 1887 in relation thereto.

Also,

House Bill No. 233,

A bill for an act to amend section 91 of chapter 132 of the Laws of 1890, being an act entitled "An act prescribing the mode of making assessment and the levy and collection of taxes and for other purposes relating thereto."

Also,

House Bill No. 198,

A bill for an act to appropriate the sum of \$146.10 for services and expenses as a member of the Investigation Committee appointed by the Governor in accordance with concurrent resolution of this Legislative Assembly.

Also,

House Bill No. 92,

A bill for an act to regulate the terms of district court to be held in the several counties constituting the Fourth Judicial District.

Also,

House Bill No. 129,

A bill for an act to amend section 137 of chapter 13 of the Laws of 1891.

ARNE P. HAUGEN,
Chairman.

Senate Bill No. 185,

A bill for an act authorizing and providing the manner of amending or changing the articles of incorporation of private corporations,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 43, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hurley,	Sanford,
Bentley,	James,	Satterlund,
Boynton,	Johnson of Sargent,	Simpson,
Bullard,	Johnson of G'd Forks,	Strom,
Burkhardt,	Larson,	Thompson,
Caldwell,	McCanna,	Towers,

Messrs—	Messrs—	Messrs—
Churchill,	McCulloch,	Ueland,
Cochrane,	McLean,	Veeder,
Deans,	Newman,	Wallen,
Elliott,	O'Keefe,	Wineman,
Hagen,	Oksendahl,	Wishek,
Hall,	Pierce,	Wright,
Halvorson,	Plain,	Yegen,
Havrevold,	Rinde,	Mr. Speaker.
Hodgson,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Davis,	Kelly,	Oliver,
Ebbighausen,	Lee,	Ritter,
Hallum,	Levang,	Severson,
Haugen,	Logan,	Southard,
Holliday,	Lohnes,	Thexton,
Horgan,	McArthur,	Tufts.
Johnston,		

Messrs. Ritter and Southard being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 128,

A bill for an act to amend section 4 of chapter 65 of the Session Laws of 1891, being an act entitled "An act to amend sections 2, 5, 6 and 11 of chapter 146 of the General Laws of 1890, entitled 'An act to provide for the leasing and sale of the common school lands of North Dakota,' " for the purpose of making specific appropriation by the Legislature to meet expenses that were therefor taken out of the interest and income of the permanent school fund, because, the section so amended is in violation of the Constitution,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 43, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Johnson of Sargent,	Rinde,
Bullard,	Johnson of G'd Forks,	Sanford,
Burkhardt,	Johnston,	Satterlund,
Caldwell,	Larson,	Strom,
Churchill,	Lee,	Thexton,
Cochrane,	Levang,	Towers,
Deans,	Logan,	Tufts,
Elliott,	McCanna,	Ueland,
Hagen,	McCulloch,	Veeder,
Havrevold,	Newman,	Wallen,
Hodgson,	O'Keefe,	Wishek,
Holliday,	Oksendahl,	Wright,
Horgan,	Pierce,	Yegen,
Hurley,	Plain,	Mr. Speaker.
James,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Haugen,	Ritter,
Boynton,	Kelly,	Severson,
Davis,	Lohnes,	Simpson,
Ebbighausen,	McArthur,	Southard,
Hall,	McLean,	Thompson,
Hallum,	Oliver,	Wineman.
Halvorson,		

Messrs. Ritter and Southard being excused.

So the bill passed and the title was agreed to.

The Committee on Enrolled Bills made the following report:

MR. SPEAKER:

Your Committee on Enrolled Bills have examined

House Bill No. 108,

A bill for an act to provide for the collection of vital statistics.

Also,

House Bill No. 199,

A bill for an act to appropriate the sum of \$170.25 for services and expenses as a member of the investigation committee appointed by the Governor in accordance with concurrent resolution of this Legislative Assembly.

Also,

House Bill No. 239,

A bill for an act to amend section 79 of chapter 132 of the Laws of 1890, being an act entitled "An act prescribing the mode of making assessment and the levy and collection of taxes and for other purposes relative thereto."

Also,

House Bill No. 9,

A bill for an act regulating the liability of railroad companies or corporations for damages caused by fire escaping from their cars or engines, and the rules of evidence relating thereto.

Also,

House Bill No. 174,

A bill for an act fixing the maximum rates that railroad companies may charge for the transportation of coal mined within the State of North Dakota.

Also,

House Bill No. 139,

A bill for an act to amend section 62 of chapter 132 of the Laws of 1890, and to add another section thereto regulating fees of officers under said act.

Also,

House Bill No. 94,

A bill for an act to establish city boards of health.

Also,

House Bill No. 166,

A bill for an act naming a uniform title for the government boards of State educational institutions and designating certain ex-officio members of State boards.

Also,
House Bill No. 18,

A bill for an act to amend chapter 26 of the General Laws of 1889, entitled "An act to give publicity to chattel mortgage sales, as amended by chapter 40 of the General Laws of 1890, by adding after section 9 of said chapter 26, the following sections as sections 10, 11 and 12 of said chapter 26."

Also,
House Bill No. 201,

A bill for an act providing for a State bounty for the destruction of wolves,
And find the same correctly enrolled.

ARNE P. HAUGEN,
Chairman.

Mr. Speaker announced his signature to
House Bill No. 108,

A bill for an act to provide for the collection of vital statistics.

Also,
House Bill No. 199,

A bill for an act to appropriate the sum of one hundred and seventy and 20-100 dollars for services and expenses as member of the investigation committee appointed by the Governor in accordance with concurrent resolution of this Legislative Assembly.

Also,
House Bill No. 239,

A bill for an act to amend section 79 of chapter 132 of the Laws of 1890, being an act prescribing the mode of making assessment and the levy and collecting of taxes and for other purposes relating thereto.

Also,
House Bill No. 9,

A bill for an act regulating the liability of railroad companies of corporations for damages caused by fire escaping from their cars or engines, and the rules of evidence relating thereto.

Also,
House Bill No. 174,

A bill for an act fixing the maximum rates that railroad companies may charge for the transportation of coal mined within the State of North Dakota.

Also,
House Bill No. 139,

A bill for an act to amend section 62 of chapter 132 of the

Laws of 1890, and to add another section thereto regulating fees of officers under said act.

Also,
House Bill No. 94,
A bill for an act to establish city boards of health.

Also,
House Bill No. 166,
A bill for an act naming a uniform title for the governing boards of the State educational institutions and designating certain ex-officio members of State boards.

Also,
House Bill No. 18,
A bill for an act to amend chapter 26 of the General Laws of 1889, entitled "An act to give publicity to chattel mortgage sales, as amended by chapter 40 of the General Laws of 1890, by adding after section 9 of said chapter 26, the following sections as sections 10, 11 and 12 of said chapter 26."

Also,
House Bill No. 201,
A bill for an act providing for a State bounty for the destruction of wolves.

Senate Bill No. 97,
A bill for an act to amend section 1 of chapter 62 of the Laws of 1891,

Was read the third time and placed upon its final passage.

The question being on the final passage of the bill.

The roll being called there were ayes 30, nays 12.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Johnston,	Simpson,
Bullard,	Larson,	Strom,
Burkhardt,	Logan,	Thexton,
Caldwell,	Lohnes,	Tufts,
Churchill,	McCanna,	Ueland,
Cochrane,	O'Keefe,	Veeder,
Havrevold,	Oliver,	Wallen,
Holliday,	Pierce,	Wineman,
Hurley,	Plain,	Wishek,
Johnson of G'd Forks,	Satterlund,	Yegen.

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Deans,	Hodgson,	Sanford,
Elliott,	Johnson of Sargent,	Towers,
Hagen,	Levang,	Wright.
Hallum,	Rinde,	Mr. Speaker.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Horgan,	Newman,
Boynton	James,	Oksendahl,
Davis,	Kelly,	Ritter,
Ebbighausen,	Lee,	Severson,
Hall,	McArthur,	Southard,
Halvorson,	McCulloch,	Thompson.
Haugen,	McLean,	

Messrs. Ritter and Southard being excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER, }
Bismarck, March 3, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith

House Bill No. 64,

A bill for an act to amend chapter 128 of the Laws of 1889.

Also,

House Bill No. 179,

A bill for an act entitled "An act to reimburse certain persons for labor performed and for other purposes,"

Which the Senate has passed unchanged.

Respectfully,
FRED FALLEY,
Secretary.

Mr. Speaker announced his signature to
Senate Bill No. 73,

A bill for an act to amend all of chapters 25, 146, 147 and 148 of the Laws of 1890; and to provide for the management, control and disposal of university, school and all other public lands of the State, and the management of the funds arising therefrom, and making an appropriation therefor.

Mr. Oliver moved

That the vote by which Senate Bill No. 97 passed be reconsidered.

Mr. Hodgson raised the point of order that the motion to reconsider was out of order.

Mr. Speaker decided the point well taken as the mover did not vote with the prevailing side.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, March 3, 1893. }

MR. SPEAKER:

I have the honor to inform you that the Senate has concurred in the House amendments to Senate Bill No. 39, and have passed the same as amended.

Respectfully,
FRED FALLEY,
Secretary.

Mr. Elliott moved

That the vote by which Senate Bill No. 97 passed be reconsidered,

Which motion prevailed.

The question being upon the final passage of Senate Bill No. 97.

The roll being called there were ayes 40, nays 7.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Johnson of G'd Forks,	Sanford,
Bentley,	Larson,	Satterlund,
Boynton,	Lee,	Simpson,
Bullard,	Logan,	Strom,
Burkhardt,	Lohnes,	Thexton,
Caldwell,	McCanna,	Towers,
Churchill,	McCulloch,	Ueland,
Cochrane,	McLean,	Veeder,
Ebbighausen,	Newman,	Wallen,
Elliott,	Oksendahl,	Wineman,
Hall,	Oliver,	Wishek,
Holliday,	Pierce,	Wright,
Horgan,	Plain,	Yegen.
Hurley,		

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Deans,	Johnson of Sargent,	Rinde,
Hagen,	Levang,	Mr. Speaker.
James,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Davis,	Hodgson,	Ritter,
Hallum,	Johnston,	Severson,
Halvorson,	Kelly,	Southard,
Haugen,	McArthur,	Thompson,
Havrevold,	O'Keefe,	Tufts.

Messrs. Ritter and Southard being excused.

So the bill passed and the title was agreed to.

Mr. McLean moved

That the House do now take a recess for fifteen minutes,

Which motion was lost.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER, }
Bismarck, March 3, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith
House Bill No. 126,

A bill for an act to define the powers and duties of county and city boards of health and for the prevention and suppression of contagious, infectious and epidemic diseases.

Also,

House Bill No. 121,

A bill for an act to provide for the formation of school districts comprising less than a civil or congressional township,

Which the Senate has passed unchanged.

Respectfully,

FRED FALLEY,
Secretary.

Senate Bill No. 88,

A bill for an act to provide protection from fire within the Capitol Building,

Was read the third time and placed upon its final passage.

The question being on the final passage of the bill.

The roll being called there were ayes 42, nays none.

Those who voted in the affirmative were:

Messrs—

Benedict,
Bentley,
Boynton,
Bullard,
Burkhardt,
Caldwell,
Churchill,
Cochrane,
Deans,
Hagen,
Hallum,
Havrevold,
Hodgson,
Holliday,

Messrs—

Hurley,
James,
Johnson of Sargent,
Johnson of G'd Forks,
Larson,
Levang,
Lohnes,
McCanna,
McCulloch,
Newman,
Oksendahl,
Pierce,
Plain,
Rinde,

Messrs—

Sanford,
Satterlund,
Simpson,
Strom,
Thexton,
Towers,
Tufts,
Ueland,
Veeder,
Wallen,
Wineman,
Wishek,
Yegen,
Mr. Speaker.

Absent and not voting:

Messrs—

Davis,
Ebbighausen,
Elliott,
Hall,
Halvorson,
Haugen,
Horgan,

Messrs—

Johnston,
Kelly,
Lee,
Logan,
McArthur,
McLean,
O'Keefe,

Messrs—

Oliver,
Ritter,
Severson,
Southard,
Thompson,
Wright.

Messrs. Ritter and Southard being excused.

So the bill passed and the title was agreed to.

The Committee on Enrolled Bills made the following report:

MR. SPEAKER:

Your Committee on Enrolled Bills report that at the hour of 8:35 o'clock they delivered to the Governor for his approval the following House Bills:

House Bill No. 108,

A bill for an act to provide for the collection of vital statistics.

Also,

House Bill No. 199,

A bill for an act to appropriate the sum of \$170.20 for services and expenses as member of the investigating committee appointed by the Governor in accordance with concurrent resolution of this Legislative Assembly.

Also,

House Bill No. 239,

A bill for an act to amend section 79 of chapter 132 of the Laws of 1890, being an act entitled "An act prescribing the mode of making assessment and the levy and collection of taxes and for other purposes relative thereto."

Also,

House Bill No. 9,

A bill for an act regulating the liability of railroad companies or corporations for damages caused by fire escaping from their cars or engines, and the rules of evidence relating thereto.

Also,

House Bill No. 174,

A bill for an act fixing the maximum rates that railroad companies may charge for the transportation of coal mined within the State of North Dakota.

Also,

House Bill No. 139,

A bill for an act to amend section 62 of chapter 132 of the Laws of 1890, and to add another section thereto regulating fees of officers under said act.

Also,

House Bill No. 94,

A bill for an act to establish city boards of health.

Also,

House Bill No. 166,

A bill for an act naming a uniform title for the governing boards of the State educational institutions and designating certain ex-officio members of State boards.

Also,

House Bill No. 18,

A bill for an act to amend chapter 26 of the General Laws of 1889, entitled "An act to give publicity to chattel mortgage sales, as amended by chapter 40 of the General Laws of 1890, by adding after section 9 of said chapter 26 the following sections as sections 10, 11 and 12 of said chapter 26."

Also,

House Bill No. 201,

A bill for an act providing for a State bounty for the destruction of wolves,

And find the same correctly enrolled.

ARNE P. HAUGEN,
Chairman.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,)
Bismarck, March 3, 1893.)

MR. SPEAKER:

I have the honor to transmit herewith

House Bill No. 71,

A bill for an act to provide for the preservation of official bonds of township and school officers and facilitate the safe transmission of funds of civil townships and school districts from the county treasury,

Which the Senate has passed unchanged.

Respectfully,

FRED FALLEY,
Secretary.

Senate Bill No. 145,

A bill for an act to require one railroad to permit another railroad to cross it and connect with it and to require both companies to pay the expense of construction,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 38, nays none.

Those who voted in the affirmative were:

Messrs—

Benedict,
Bentley,
Boynton,
Bullard,
Burkhardt,
Caldwell,
Churchill,
Deans,

Messrs—

Johnson of Sargent,
Kelly,
Larson,
Lee,
Levang,
McCanna,
McLean,
Newman,

Messrs—

Simpson,
Strom,
Thexton,
Thompson,
Towers,
Tufts,
Ueland,
Wallen,

Messrs—	Messrs—	Messrs—
Hagen,	O'Keefe,	Wineman,
Havrevold,	Pierce,	Wishek,
Hodgson,	Rinde,	Yegen,
Holliday,	Sanford,	Mr. Speaker.
Hurley,	Satterlund,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Cochrane,	Horgan,	Oksendahl,
Davis,	James,	Oliver,
Ebbighausen,	Johnson of G'd Forks,	Plain,
Elliott,	Johnston,	Ritter,
Hall,	Logan,	Severson,
Hallum,	Lohnes,	Southard,
Halvorson,	McArthur,	Veeder,
Haugen,	McCulloch,	Wright.

Messrs. Ritter and Southard being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 61,

A bill for an act fixing the time for commencement and ending of the fiscal year for the State of North Dakota,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 46, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	James,	Sanford,
Bentley,	Johnson of Sargent,	Satterlund,
Boynton,	Johnston,	Simpson,
Bullard,	Larson,	Strom,
Burkhardt,	Levang,	Thexton,
Caldwell,	Lohnes,	Thompson,
Churchill,	McCanna,	Towers,
Cochrane,	McCulloch,	Tufts,
Deans,	McLean,	Ueland,
Hall,	Newman,	Wallen,
Hallum,	O'Keefe,	Wineman,
Haugen,	• Oksendahl,	Wishek.
Havrevold,	Pierce,	Wright,
Hodgson,	Plain,	Yegen,
Horgan,	Rinde,	Mr. Speaker.
Hurley,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Davis,	Johnson of G'd Forks,	Oliver,
Ebbighausen,	Kelly,	Ritter,
Elliott,	Lee,	Severson,
Hagen,	Logan,	Southard,
Halvorson,	McArthur,	Veeder.
Holliday,		

Messrs. Ritter and Southard being excused.

So the bill passed and the title was agreed to.

The Committee on Enrolled Bills made the following report:

MR. SPEAKER:

Your Committee on Enrolled Bills have examined
House Bill No. 124,

A bill for an act to prevent the spread of contagious and infectious diseases among domestic animals,

And find the same correctly enrolled.

ARNE P. HAUGEN,
Chairman.

Mr. Speaker announced his signature to
House Bill No. 124,

A bill for an act to prevent the spread of contagious and infectious diseases among domestic animals.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER, }
Bismarck, March 3, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith

A concurrent resolution providing that the Secretary of the Senate and Clerk of the House shall be allowed twenty extra days to complete the recording of the Journals of the respective Houses at the same per diem as is now allowed them by law for services in the respective bodies.

Respectfully,
FRED FALLEY,
Secretary.

CONCURRENT RESOLUTION.

WHEREAS, The Secretary of the Senate and Clerk of the House estimate that at the close of the session of the Legislative assembly there will remain some three hundred or more pages of the Senate and House Journals to record in long hand in the permanent Journal; therefore, be it

Resolved by the Senate, the House Concurring, That the Secretary and Clerk of the House be allowed twenty days extra time in which to complete the Journals of the Senate and House, with the per diem now allowed them by law.

Mr. Oliver moved

The adoption of the resolution,

Which motion prevailed, and

The resolution was adopted

Senate Bill No. 161,

A bill for an act entitled "An act to amend sections 1 and 3 of chapter 50 of the Session Laws of 1890, of an act entitled 'An act to fix compensation of judges of the county courts and provide a fund to reimburse the county for the same,' approved March 18, 1890,

Was read the third time and placed upon its final passage.

Mr. Benedict moved

To amend by striking out in line 24 of the printed bill the following:

“In all counties having a population of from twenty thousand to twenty-five thousand inhabitants the sum of \$2,500 per annum,”

And moved the adoption of the amendment,

Which motion prevailed, and

The amendment was adopted.

The question being upon the final passage of Senate Bill No. 161 as amended.

The roll being called there were ayes 22, nays 16.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hall,	Plain,
Bentley,	Haugen,	Satterlund,
Boynton,	Johnson of G'd Forks,	Strom,
Bullard,	Lohnes,	Tufts,
Burkhardt,	Newman,	Wineman,
Churchill,	O'Keefe,	Yegen,
Deans,	Pierce,	Mr. Speaker.
Ebbighausen,		

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Caldwell,	Johnson of Sargent,	Thexton,
Cochrane,	Levang,	Thompson,
Hagen,	Logan,	Towers,
Havrevold,	McCulloch,	Ueland.
Hodgson,	Rinde,	Veeder,
Holliday,	Sanford,	Wright.
Hurley,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Davis,	Kelly,	Oliver,
Elliott,	Larson,	Ritter,
Hallum,	Lee,	Severson,
Halvorson,	McArthur,	Simpson,
Horgan,	McCanna,	Southard,
James,	McLean,	Wallen,
Johnston,	Oksendahl,	Wishek.

Messrs. Ritter and Southard being excused.

So the bill as amended passed and the title was agreed to.

Senate Bill No. 187,

A bill for an act to provide for an election to locate the School of Forestry of North Dakota,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 32, nays 1.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Johnson of Sargent,	Rinde,
Caldwell,	Johnson of G'd Forks,	Sanford,
Churchill,	Larson,	Thexton,
Cochrane,	Lee,	Thompson,
Deans,	Logan,	Ueland,
Ebbighausen,	McCanna,	Veeder,
Hagen,	Newman,	Wineman,
Havrevold,	O'Keefe,	Wright,
Hodgson,	Oksendahl,	Yegen,
Hurley,	Pierce,	Mr. Speaker.
James,	Plain,	

Mr. Satterlund voting in the negative.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Holliday,	Ritter,
Boynton,	Horgan,	Severson,
Bullard,	Johnston,	Simpson,
Burkhardt,	Kelly,	Southard,
Davis,	Levang,	Strom,
Elliott,	Lohnes,	Towers,
Hall,	McArthur,	Tufts,
Hallum,	McCulloch,	Wallen,
Halvorson,	McLean,	Wishek.
Haugen,	Oliver,	

Messrs Ritter and Southard being excused.

So the bill passed and the title was agreed to.

Mr. Speaker announced an informal recess for 15 minutes.

House reassembled.

Senate Bill No. 188,

A bill for an act defining the duties of justices of the peace and describing their powers,

Was read the third time and placed upon its final passage.

The question being on the final passage of the bill.

The roll being called there were ayes 41, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hurley,	Sanford,
Bullard,	James,	Satterlund,
Burkhardt,	Johnson of Sargent,	Simpson,
Churchill,	Johnson of G'd Forks,	Strom,
Cochrane,	Kelly,	Thexton,
Deans,	Larson,	Thompson,
Ebbighausen,	McCulloch,	Ueland,
Hagen,	McLean,	Veeder,
Hall,	Newman,	Wallen,
Hallum,	O'Keefe,	Wishek,
Havrevold,	Oksendahl,	Wright,
Hodgson,	Oliver,	Yegen,
Holliday,	Pierce,	Mr. Speaker.
Horgan,	Plain,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Johnston,	Rinde,
Boynton,	Lee,	Ritter,
Caldwell,	Levang,	Severson,
Davis,	Logan,	Southard,
Elliott,	Lohnes,	Towers,
Halvorson,	McArthur,	Tufts,
Haugen,	McCanna,	Wineman.

Messrs. Ritter and Southard being excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, March 3, 1893. }

MR. SPEAKER:

I have the honor to inform the House that the Senate has acceded to the request of the House for the return of Senate Bill No. 158.

Respectfully,
FRED FALLEY,
Secretary.

Mr. Elliott moved

That the Chief Clerk be requested to inform the Senate that Senate Bill No. 158 did not accompany the message from the Senate.

Which motion prevailed.

Mr. Speaker announced his signature to Senate Bill No. 78,

A bill for an act to amend paragraph 40 of chapter 68 of the Laws of 1891.

Also,

Senate Bill No. 166,

A bill for an act authorizing cities to levy and collect an annual poll tax.

Senate Bill No. 41,

A bill for an act fixing the fees for filing, renewing and releasing chattel mortgages,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 34, nays 9.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Johnson of Sargent,	Plain,
Bullard,	Johnson of G'd Forks,	Simpson,
Caldwell,	Johnston,	Thexton,

Messrs—	Messrs—	Messrs—
Churchill,	Larson,	Thompson,
Deans,	Logan,	Towers,
Elliott,	McCulloch,	Tufts,
Hagen,	McLean,	Ueland,
Hallum,	Newman,	Wallen,
Haugen,	O'Keefe,	Wishek,
Horgan,	Oliver,	Yegen,
Hurley,	Pierce,	Mr. Speaker.
James,		

Those voting in the negative were:

Messrs—	Messrs—	Messrs—
Burkhardt,	Rinde,	Strom,
Ebbighausen,	Sanford,	Veeder,
Oksendahl,	Satterlund,	Wright.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Hodgson,	McArthur,
Boynton,	Holliday,	McCanna,
Cochrane,	Kelly,	Ritter.
Davis,	Lee,	Severson,
Hall,	Levang,	Southard,
Halvorson,	Lohnes,	Wineman.
Havrevold,		

Messrs. Ritter and Southard being excused.

So the bill passed and the title was agreed to.

The Committee on Enrolled Bills made the following report:

MR. SPEAKER:

Your Committee on Enrolled Bills report that at the hour of 10 o'clock, they delivered the following House bill to the Governor:

House Bill No. 124,

A bill for an act to prevent the spread of contagious and infectious diseases among domestic animals.

ARNE P. HAUGEN,
Chairman.

Senate Bill No. 165,

A bill for an act to provide for the division of civil townships containing two or more Congressional townships by the creation of new townships therein.

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 27, nays 1.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Larson,	Strom,
Bullard,	Lee,	Thompson,
Burkhardt,	Levang,	Towers,
Churchill,	McCanna,	Veeder,
Cochrane,	Pierce,	Wallen,

Messrs—	Messrs—	Messrs—
Hagen,	Plain,	Wishek,
Havrevold,	Rinde,	Wright,
Hurley,	Sanford,	Yegen,
James,	Satterlund,	Mr. Speaker.

Mr. Johnson of Sargent voting in the negative.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Holliday,	O'Keefe,
Boynton,	Horgan,	Oksendahl,
Caldwell,	Johnson of G'd Forks,	Oliver,
Davis,	Johnston,	Ritter,
Deans,	Kelly,	Severson,
Ebbighausen,	Logan,	Simpson,
Elliott,	Lohnes,	Southard,
Hall,	McArthur,	Thexton,
Hallum,	McCulloch,	Tufts,
Halvorson,	McLean,	Ueland,
Haugen,	Newman,	Wineman.
Hodgson,		

Messrs. Ritter and Southard being excused.

So the bill was lost.

The Committee on Enrolled Bills made the following report:

MR. SPEAKER:

Your Committee on Enrolled Bills have examined

House Bill No. 64,

A bill for an act to amend chapter 128 of the Laws of 1889.

Also,

House Bill No. 4,

A bill for an act entitled "An act creating the office of State Board of Auditors, and prescribing the duties thereof."

Also,

House Bill No. 71,

A bill for an act to provide for the preservation of official bonds of township and school officers and facilitate the safe transmission of funds of civil townships and school districts from the county treasury.

Also,

House Bill No. 179,

A bill for an act entitled "An act to reimburse certain persons for labor performed and other purposes,"

And find the same correctly enrolled.

ARNE P. HAUGEN,
Chairman.

Mr. Speaker announced his signature to

House Bill No. 71,

A bill for an act to provide for the preservation of official bonds of township and school officers and facilitate the safe transmission

of funds of civil townships and school districts from the county treasury.

Also,

House Bill No. 4,

A bill for an act entitled "An act creating the office of State Board of Auditors, and prescribing the duties thereof."

Also,

House Bill No. 64,

A bill for an act to amend chapter 128 of the Laws of 1889.

Also,

House Bill No. 179,

A bill for an act entitled "An act to reimburse certain persons for labor performed and for other purposes."

Mr. Benedict moved

A call of the House.

Call seconded.

Mr. Ueland moved

That further proceedings under the call of the House be dispensed with,

Which motion was lost.

Mr. Speaker called Mr. Logan to the chair.

Mr. McCanna moved

That further proceedings under call of the House be dispensed with,

Which motion prevailed and further proceedings under call of the House were dispensed with.

Mr. Benedict moved

That the vote by which Senate Bill No. 165 was lost be reconsidered,

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER, }
Bismarck, March 3, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith

Senate Bill No. 158,

As per the request of the House.

Respectfully,

FRED FALLEY,
Secretary.

The Committee on Enrolled Bills made the following report:

MR. SPEAKER:

Your Committee on Enrolled Bills report that at the hour of 10:35 o'clock they delivered to the Governor the following House Bills:

House Bill No. 64,

A bill for an act to amend chapter 128 of the Laws of 1889.

Also,

House Bill No. 4,

A bill for an act entitled "An act creating the office of State Board of Auditors, and prescribing the duties thereof."

Also,

House Bill No. 71,

A bill for an act to provide for the preservation of official bonds of township and school officers and facilitate the safe transmission of funds of civil townships and school districts from the county treasury.

Also,

House Bill No. 179,

A bill for an act entitled "An act to reimburse certain persons for labor performed and for other purposes."

ARNE P. HAUGEN,
Chairman.

Mr. McLean moved

That all record of the proceedings of the House in reference to Senate Bill No. 158 be expunged from the record.

Mr. Ueland raised the point of order that the motion required a two-third vote.

The chair ruled that the point of order was well taken.

Mr. Oliver appealed from the decision of the chair.

Roll call demanded.

The roll being called there were ayes 19, nays 31.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Boynton,	Johnson of Sargent,	Strom,
Bullard,	Lohnes,	Thompson,
Caldwell,	McCanna,	Tufts,
Elliott,	McCulloch,	Ueland,
Hagen,	Pierce,	Wallen,
Haugen,	Rinde,	Wright.
Hodgson,		

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Benedict,	Horgan,	Oksendahl,
Bentley,	Hurley,	Oliver,
Burkhardt,	James,	Plain,
Churchill,	Johnson of G'd Forks,	Sanford,

Messrs—	Messrs—	Messrs—
Cochrane,	Johnston,	Satterlund,
Deans,	Kelly,	Simpson,
Ebbighausen,	Larson,	Veeder,
Hall,	Lee,	Wineman,
Hallum,	McLean,	Wishek,
Havrevold,	Newman,	Yegen,
Holliday,	O'Keefe,	Mr. Speaker.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Davis,	McArthur,	Southard,
Halvorson,	Ritter,	Thexton,
Levang,	Severson,	Towers.
Logan,		

Messrs. Ritter and Southard being excused.

So the chair was not sustained.

The question being upon the motion to expunge.

Mr. Hodgson moved
A call of the House.

Call seconded.

Mr. Oliver moved

That further proceedings under the call of the House be dispensed with.

Roll call demanded.

The roll being called there were ayes 37, nays 16.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	James,	Pierce,
Bentley,	Johnson of G'd Forks,	Plain,
Burkhardt,	Johnston,	Sanford,
Churchill,	Kelly,	Satterlund,
Cochrane,	Larson,	Simpson,
Deans,	Lee,	Strom,
Ebbighausen,	Lohnes,	Veeder,
Hall,	McLean,	Wineman,
Hallum,	Newman,	Wishek,
Havrevold,	O'Keefe,	Wright,
Holliday,	Oksendahl,	Yegen,
Horgan,	Oliver,	Mr. Speaker.
Hurley,		

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Boynon,	Johnson of Sargent,	Thompson,
Bullard,	Logan,	Towers,
Caldwell,	McCanna,	Tufts,
Elliott,	McCulloch,	Ueland,
Hagen,	Rinde,	Wallen.
Hodgson,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Davis,	Levang,	Severson,
Halvorson,	McArthur,	Southard,
Haugen,	Ritter,	Thexton.

Messrs. Ritter and Southard being excused.

So the motion prevailed,
And further proceedings under the call of the House were dispensed with.

Mr. Ueland moved
That the House do now take a recess for 30 minutes.

Roll call demanded.

The roll being called there were ayes 16, nays 34.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Boynton,	Hodgson,	Oksendahl,
Bullard,	Horgan,	Rinde,
Caldwell,	Logan,	Thompson,
Elliott,	McCanna,	Towers,
Hagen,	McCulloch,	Ueland.
Havrevold,		

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Benedict,	Johnston,	Sanford,
Burkhardt,	Kelly,	Satterlund,
Churchill,	Larson,	Simpson,
Cochrane,	Lee,	Strom,
Deans,	Lohnes,	Tufts,
Ebbighausen,	McLean,	Veeder,
Hall,	Newman,	Wallen,
Hallum,	O'Keefe,	Wineman,
Holliday,	Oliver,	Wright,
Hurley,	Pierce,	Yegen,
James,	Plain,	Mr. Speaker.
Johnson of G'd Forks,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Bentley,	Johnson of Sargent,	Severson,
Davis,	Levang,	Southard,
Halvorson,	McArthur,	Thexton,
Haugen,	Ritter,	Wishek.

Messrs. Ritter and Southard being excused.

So the motion to take a recess was lost.

Mr. Oliver moved the previous question on the adoption of the resolution to expunge.

The question being "shall the main question be now put?"

Roll call demanded.

The roll being called there were ayes 36, nays 17.

Those voting in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Hurley,	Oksendahl,
Bentley,	James,	Oliver,
Burkhardt,	Johnson of G'd Forks,	Pierce,
Churchill,	Johnston,	Plain,
Cochrane,	Kelly,	Sanford,
Deans,	Larson,	Satterlund,
Ebbighausen,	Lee,	Simpson,
Hall,	Lohnes,	Veeder,
Hallum,	McCanna,	Wineman,
Havrevold,	McLean,	Wishek,
Holliday,	Newman,	Yegen,
Horgan,	O'Keefe,	Mr. Speaker.

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Boynton,	Johnson of Sargent,	Towers,
Bullard,	Logan,	Tufts,
Caldwell,	McCulloch,	Ueland,
Elliott,	Rinde,	Wallen,
Hagen,	Strom,	Wright.
Hodgson,	Thompson,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Davis,	Levang,	Severson,
Halvorson,	McArthur,	Southard,
Haugen,	Ritter,	Thexton.

Messrs. Ritter and Southard being excused.

So the motion prevailed, and
The previous question was ordered.

The question being upon the motion to expunge.

Roll call was demanded.

The roll being called there were ayes 33, nays 20.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Horgan,	Oksendahl,
Bentley,	Hurley,	Oliver,
Burkhardt,	James,	Plain,
Churchill,	Johnson of G'd Forks,	Sanford,
Cochrane,	Johnston,	Satterlund,
Deans,	Kelly,	Simpson,
Ebbighausen,	Larson,	Veeder,
Hall,	Lee,	Wineman,
Hallum,	Lohnes,	Wishek,
Havrevold,	McLean,	Yegen,
Holliday,	O'Keefe,	Mr. Speaker.

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Boynton,	Johnson of Sargent,	Thompson,
Bullard,	Logan,	Towers,
Caldwell,	McCanna,	Tufts,
Elliott,	McCulloch,	Ueland,

Messrs—	Messrs—	Messrs—
Hagen,	Pierce,	Wallen,
Haugen,	Rinde,	Wright.
Hodgson,	Strom,	

Absent and not voting:

Messrs—	Messrs—	Messrs—
Davis,	McArthur,	Severson,
Halvorson,	Newman,	Southard,
Levang,	Ritter,	Thexton.

Messrs. Ritter and Southard being excused.

So the motion to expunge prevailed, and

All proceedings of the House in reference to Senate Bill No. 158 were expunged from the record.

Mr. McLean moved

That the vote by which all proceedings relating to Senate Bill No. 158 were expunged from the record be reconsidered and the motion to reconsider be laid upon the table,

Which motion prevailed.

Mr. Speaker announced his signature to Substitute for Senate Bills Nos. 1 and 17,

A bill for an act to amend sections 1, 2, 4, 5, 16, 17, 18 and 24 of chapter 66 of the Laws of 1891, known as the "Australian ballot law."

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
Bismarck, March 3, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith House Bill No. 86,

A bill for an act to amend section 201 of the Code of Civil Procedure, in relation to attachment.

Also,

House Bill No. 169,

A bill for an act to compel all railway companies or corporations operating any line of railway, wholly or in part, within the State of North Dakota, to provide all necessary facilities for the unloading of grain from wagons and loading same into cars, and to furnish cars to all persons offering grain for shipment, and providing penalties for non-compliance with this act,

Which the Senate has passed unchanged.

Respectfully,
FRED FALLEY,
Secretary.

A committee from the Senate reported that the Senate would adjourn *sine die* at 12 o'clock midnight.

The vote by which Senate Bill No. 165 passed having been reconsidered, Mr. Speaker announced that

The question was now upon the final passage of the bill.

The roll being called there were ayes 39, nays 1.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Johnson of Sargent,	Pierce,
Bentley,	Johnson of G'd Forks,	Plain,
Bullard,	Johnston,	Rinde,
Burkhardt,	Kelly,	Strom,
Churchill,	Larson,	Thexton,
Cochrane,	Lee,	Thompson,
Deans,	Levang,	Tufts,
Hagen,	McCanna,	Ueland,
Hallum,	McLean,	Veeder,
Hodgson,	Newman,	Wallen,
Horgan,	O'Keefe,	Wineman,
Hurley,	Oksendahl,	Yegen,
James,	Oliver,	Mr. Speaker.

Mr. Elliott voting in the negative.

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Holliday,	Satterlund,
Caldwell,	Logan,	Severson,
Davis,	Lohnes,	Simpson,
Ebbighausen,	McArthur,	Southard,
Hall,	McCulloch,	Towers,
Halvorson,	Ritter,	Wishek,
Haugen,	Sanford,	Wright.
Havrevold,		

Messrs. Ritter and Southard being excused.

So the bill passed and the title was agreed to.

Mr. Elliott moved

That a committee of three be appointed to wait upon the Governor and inform him that the House will adjourn at 12 o'clock, and ask if the Governor had anything to communicate,

Which motion prevailed, and

Mr. Speaker appointed Messrs. Elliott, Pierce and James as such committee.

Mr. Wineman moved

That the vote by which House Bill No. 161 was lost be reconsidered,

Which motion prevailed, and

The vote was reconsidered.

Mr. Speaker announced his signature to Senate Bill No. 97,

A bill for an act to amend section 1 of chapter 62 of the Laws of 1891.

Also,

Senate Bill No. 185,

A bill for an act authorizing and providing the manner of amending or changing articles of incorporation of private corporations.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER, }
Bismarck, March 3, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith
House Bill No. 217,

A bill for an act to authorize cities to empty sewerage into rivers
within this State,

Which the Senate has passed unchanged.

Respectfully,
FRED FALLEY,
Secretary.

Senate Bill No. 91,

A bill for an act to amend section 4 of chapter 70 of the Laws
of 1891, being an act entitled "An act defining the boundaries of
the Fifth Judicial District, subdividing the same, and fixing the
time for holding the terms of district court therein,"

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 33, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	Horgan,	Rinde,
Bentley,	James,	Sanford,
Bullard,	Johnson of Sargent,	Strom,
Burkhardt,	Johnson of G'd Forks,	Thexton,
Churchill,	Kelly,	Thompson,
Deans,	Lee,	Tufts,
Elliott,	McLean,	Ueland,
Haugen,	Newman,	Veeder,
Havrevold,	O'Keefe,	Wallen,
Hodgson,	Pierce,	Wishek,
Holliday,	Plain,	Mr. Speaker.

Absent and not voting:

Messrs—	Messrs—	Messrs--
Boynton,	Johnston,	Ritter
Caldwell,	Larson,	Satterlund,
Cochrane,	Levang,	Severson,
Davis,	Logan,	Simpson,
Ebbighausen,	Lohnes,	Southard,
Hagen,	McArthur,	Towers,
Hall,	McCanna,	Wineman,
Hallum,	McCulloch,	Wright,
Halvorson,	Oksendahl,	Yegen.
Hurley,	Oliver,	

Messrs. Ritter and Southard being excused.

So the bill passed and the title was agreed to.

The committee appointed to wait upon the Governor reported that the Governor had no further communication to present to the House and asks the House to accept his thanks.

Substitute for Senate Bill No. 79,

A bill for an act to amend section 17 of article 5 of chapter 73 of the Laws of 1887, being section 902 of the Compiled Laws, as to compensation of certain city officers,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 34, nays none.

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Benedict,	James,	Sanford,
Bentley,	Johnson of Sargent,	Satterlund,
Bullard,	Johnson of G'd Forks,	Simpson,
Churchill,	Johnston,	Strom,
Cochrane,	Kelly,	Thexton,
Deans,	Levang,	Tufts,
Hagen,	Newman,	Ueland,
Hall,	O'Keefe,	Veeder,
Haugen,	Oksendahl,	Wallen,
Havrevold,	Oliver,	Wishek,
Horgan,	Plain,	Mr. Speaker.
Hurley,		

Absent and not voting:

Messrs—	Messrs—	Messrs—
Boynton,	Larson,	Rinde,
Burkhardt,	Lee,	Ritter,
Caldwell,	Logan,	Severson,
Davis,	Lohnes,	Southard,
Ebbighausen,	McArthur,	Thompson,
Elliott,	McCanna,	Towers,
Hallum,	McCulloch,	Wineman,
Halvorson,	McLean,	Wright,
Hodgson,	Pierce,	Yegen.
Holliday,		

Messrs. Ritter and Southard being excused.

So the bill passed and the title was agreed to.

Mr. Speaker announced his signature to Senate Bill No. 172,

A bill for an act to amend section 1 of chapter 86, Laws of 1890.

Also,

Senate Bill No. 61,

A bill for an act fixing the time for the commencement and ending of the fiscal year for the State of North Dakota.

Also,

Senate Bill No. 188,

A bill for an act defining the duties of justices of the peace and describing their powers.

Also,

Senate Bill No. 88,

A bill for an act to provide protection from fire within the Capitol Building.

Also,

Senate Bill No. 41,

A bill for an act fixing the fees to be charged for filing, renewing and releasing chattel mortgages.

Mr. Speaker called Mr. Horgan to the chair.

Senate Bill No. 35,

A bill for an act to amend chapter 23, Laws of 1890, entitled "Organization and Government of State Banks,"

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 37, nays 1.

Those who voted in the affirmative were:

Messrs—

Benedict,
Bentley,
Bullard,
Burkhardt,
Churchill,
Cochrane,
Deans,
Elliott,
Hagen,
Hall,
Hodgson,
Horgan,
Hurley,

Messrs—

Johnson of G'd Forks,
Johnston,
Larson,
Logan,
McCanna,
McLean,
Newman,
O'Keefe,
Oliver,
Pierce,
Plain,
Rinde,

Messrs—

Sanford,
Satterlund,
Simpson,
Strom,
Thexton,
Veeder,
Wallen,
Wineman.
Wishek,
Wright,
Yegen,
Mr. Speaker.

Mr. Thompson voting in the negative.

Absent and not voting:

Messrs—

Boynton,
Caldwell,
Davis,
Ebbighausen,
Hallum,
Halvorson,
Haugen,
Havrevold,

Messrs—

Holliday,
James,
Johnson of Sargent,
Kelly,
Lee,
Levang,
Lohnes,
McArthur,

Messrs—

McCulloch,
Oksendahl,
Ritter,
Severson,
Southard,
Towers,
Tufts,
Ueland.

Messrs. Ritter and Southard being excused.

So the bill passed and the title was agreed to.

The Committee on Enrolled Bills made the following report:

MR. SPEAKER:

Your Committee on Enrolled Bills have examined
House Bill No. 86,
A bill for an act to amend section 201 of the Code of Civil Pro-
cedure, in relation to attachment,
And find the same correctly enrolled.

ARNE P. HAUGEN,
Chairman.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER, }
Bismarck, March 3, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith
House bill No. 56,
A bill for an act to amend section 1 of chapter 20 of the Political
Code of 1887, being section 487 of the Compiled Laws.

Also,
House Bill No. 203,
A bill for an act to provide for the ascertaining and giving notice
of the lands of the heirs of deceased persons.

Also,
House Bill No. 256,
A bill for an act defining the duties of railways in regard to
station houses,
Which the Senate has passed unchanged.

Respectfully,
FRED FALLEY,
Secretary.

Mr. Speaker announced his signature to
House Bill No. 86,
A bill for an act to amend section 201 of the Code of Civil
Procedure, in relation to attachment.

Mr. Oliver offered the following resolution:

Resolved, That the members of the House extend their hearty and sincere
thanks to the Speaker and the Chief Clerk for the many courtesies shown to
them during the past session.

Mr. Oliver moved
That the resolution be adopted,
Which motion prevailed, and
The resolution was adopted.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER, }
Bismarck, March 3, 1893. }

MR. SPEAKER:

I have the honor to transmit herewith
Substitute for House Bills Nos. 35 and 63,

A bill for an act amending sections 15 and 16, chapter 67 of the
Laws of 1887, being sections 3097 and 3098 of the Compiled Laws,
relating to county mutual insurance companies and changing the
time for the annual meeting thereof,

Which was lost.

Also,

House Bill No. 163,

A bill for an act prescribing the duties of county commission-
ers in relation to township landmarks and fixing a penalty for re-
moving or defacing the same,

Which was lost.

Also,

House Bill No. 150,

A bill for an act to amend section 8 of chapter 91 of the Printed
Laws of 1890, in relation to the issuance of marriage licenses,

Which was indefinitely postponed.

Also,

House Bill No. 259,

A bill for an act to amend section 2024 of the Civil Code, being
section 4657 of the Compiled Laws, compilation of 1887, in rela-
tion to transfers of personal property,

Which was indefinitely postponed.

Also,

House Bill No. 117,

A bill for an act to amend sections 56, 57 and 58 of chapter
132 of the Laws of 1890, entitled "An act prescribing the
mode of making assessment, and the levy and collection of
taxes, and for other purposes relative thereto," in relation to the
collection of personal taxes by judgment,

Which was indefinitely postponed.

Also,

House Bill No. 69,

A bill for an act to amend section 69 of chapter 132 of the Laws
of 1890,

Which was indefinitely postponed.

Also,

House Bill No. 65,

A bill for an act to amend chapter 48 of the Laws of 1889,
amending section 103 of chapter 28, Political Code, as amended
by chapter 131 of the Laws of 1890,

Which was indefinitely postponed.

Also,
Substitute for House Bill No. 182,

A bill for an act to appropriate money out of the State Treasury to J. B. Sinclair, messenger of the House, and Frank Gauke, messenger of the Senate,

Which was lost.

Also,
House Bill No. 130,

A bill for an act to refund \$744.53 to Towner county for overpaid taxes to the State,

Which was lost.

Also,
House Bill No. 77,
A bill for an act admitting books as evidence,
Which was indefinitely postponed.

Also,
House Bill No. 76,
A bill for an act allowing persons convicted of crime to testify in civil or criminal actions,

Which was lost.

Also,
House Bill No. 167,
A bill for an act providing for an appropriation to reimburse the State Board of Medical Examiners for per diem and mileage due them for service rendered as required by law,

Which was lost.

Respectfully,
FRED FALLEY,
Secretary.

Mr. Oliver moved
That the chair and gavel used by Speaker Walsh during the session be presented to him,
Which motion prevailed.

Mr. Speaker announced his signature to
House Bill No. 121,
A bill for an act to provide for the formation of school districts comprising less than a civil or congressional township.

Also,
House Bill No. 126,
A bill for an act to define the powers and duties of county and city boards of health and for the prevention and suppression of contagious, infectious and epidemic diseases.

Also,
House Bill No. 217,
A bill for an act to authorize cities to empty sewerage into rivers within this State.

Mr. Speaker announced his signature to
Senate Bill No. 39,

A bill for an act to amend section 778 of the Civil Code, being section 3401 of the Compiled Laws, relating to the succession of real and personal property.

Also,
Senate Bill No. 91,

A bill for an act to amend section 4 of chapter 79 of the Laws of 1891, being an act entitled "An act defining the boundaries of the Fifth Judicial District, subdividing the same, and fixing the time for holding the terms of district court therein.

Also,
Senate Bill No. 145,

A bill for an act to require one railroad to permit another railroad to cross it and connect with it and to require both companies to pay the expense of connection.

Also,
Senate Bill No. 187,

A bill for an act to provide for an election to locate the School of Forestry of North Dakota.

Also,
Senate Bill No. 35,

A bill for an act to amend chapter 23, Laws of 1890, entitled "Organization and Government of State Banks."

Mr. Bentley offered the following resolution:

Be it Resolved, That this House of Representatives of the Third Legislative Assembly have found in the Hon. J. F. Wallace, the superintendent of the capitol, an efficient, attentive, obliging officer, and we tender him our thanks for the service he has rendered this body.

Mr. Bentley moved
The adoption of the resolution,
Which motion prevailed.

Mr. O'Keefe offered the following resolution:

Resolved, That this House tender to the Northern Pacific Railroad Co. its thanks for courtesies extended to the members; and especially the excursion tendered the members to the Bad Lands.

Mr. O'Keefe moved
The adoption of the resolution,
Which motion prevailed.

Mr. Strom moved
That the rules be suspended and that Senate Bill No. 153 be placed upon its third reading and final passage,
Which motion prevailed.

Mr. McLean moved
That the thanks of the House be extended to the reporters for

the fairness with which they have reported the proceedings of the House,

Which motion prevailed.

The Committee on Enrolled Bills made the following report:

MR. SPEAKER:

Your Committee on Enrolled Bills report that at the hour of 12 m. they delivered to the Governor for his approval the following House bills:

House Bill No. 86,

A bill for an act to amend section 201 of the Code of Civil Procedure, in relation to attachment.

Also,

House Bill No. 217,

A bill for an act to authorize cities to empty sewerage into rivers within this State.

Also,

House Bill No. 121,

A bill for an act to provide for the formation of school districts comprising less than a civil or congressional township.

Also,

House Bill No. 126,

A bill for an act to define the powers and duties of county and city boards of health and for the prevention and suppression of contagious, infectious and epidemic diseases.

ARNE P. HAUGEN,
Chairman.

Mr. Hurley moved

To indefinitely postpone further consideration of Senate Bill No. 153,

Which motion was lost.

Senate Bill No. 153,

A bill for an act to legalize county seat elections and removals where any defect may exist in the calling of the same,

Was read the third time and placed upon its final passage.

The question being upon the final passage of the bill.

The roll being called there were ayes 19, nays 3.

Those who voted in the affirmative were:

Messrs—

Caldwell,
Elliott,
Hallum,
Haugen,
Hodgson,
Johnson of Sargent,
Johnson of G'd Forks,

Messrs—

Lee,
Logan,
Newman,
Oksendahl,
Rinde,
Sanford,

Messrs—

Strom,
Towers,
Ueland,
Wallen,
Yegen,
Mr. Speaker.

Those who voted in the negative were:

Messrs—
Burkhardt,

Messrs—
Hurley,

Messrs—
Johnston.

Absent and not voting:

Messrs—
Benedict,
Bentley,
Boynton,
Bullard,
Churchill,
Cochrane,
Davis,
Deans,
Ebbighausen,
Hagen,
Hall,
Halvorson,
Havrevold,
Holliday,

Messrs—
Horgan,
James,
Kelly,
Larson,
Levang,
Lohnes,
McArthur,
McCanna,
McCulloch,
McLean,
O'Keefe,
Oliver,
Pierce,

Messrs—
Plain,
Ritter,
Satterlund,
Severson,
Simpson,
Southard,
Thexton,
Thompson,
Tufts,
Veeder,
Wineman,
Wishek,
Wright.

Messrs. Ritter and Southard being excused.

So the bill was lost.

Mr. Oliver moved

That the House do now adjourn *sine die*,

Which motion prevailed, and

The House adjourned *sine die*.

J. G. HAMILTON,
Chief Clerk.

HOUSE BILLS.

Number.	Introduced by	Title.	Introducer.
1	Mr. Newman.....	Regulating Appeals to Supreme Court.....	34
2	Mr. McLean.....	Elevators on Right of Way.....	38
3	Mr. Wineman.....	Repealing the Act Creating the Office of Superintendent of Forestry.....	38
4	Mr. Wineman.....	An Act Creating the Office of State Board of Auditors	38
5	Mr. Strom.....	Authorizing School Districts to Purchase Text Books	38
6	Mr. Simpson.....	Damages for Loss of Life.....	38
7	Mr. Ueland.....	County Depositories.....	38
8	Mr. Walsh.....	District Veterinarians.....	39
9	Mr. Walsh.....	Liability of Railroad Companies for Fire.....	40
10	Mr. Kelly.....	Appropriation for Building for Deaf and Dumb School.....	45
11	Mr. Kelly.....	Maintenance of School for Deaf and Dumb.....	46
12	Mr. McCanna.....	Amend Chapter 126, Laws of 1891.....	46
13	Mr. McCanna.....	Qualifications of State and County Deputies.....	46
14	Mr. Wineman.....	Amends Sections 5048 and 5049 Compiled Laws.....	46
15	Mr. Wineman.....	Relating to the Penal Code.....	46
16	Mr. Hurley.....	To Amend Section 3, Civil Code of 1877.....	46
17	Mr. Sanford.....	Relating to Passenger Rates.....	46
18	Mr. McCanna.....	Publicity of Chattel Mortgage Sales.....	46
19	Mr. Sanford.....	Defining Usury.....	53
20	Mr. Boynton.....	Levy and Collection of Taxes.....	54
21	Mr. Simpson.....	Exemption of Personal Property.....	54
22	Mr. Wineman.....	Exempting Firemen from Jury Duty.....	54
23	Mr. Wineman.....	Boundaries of First Judicial District.....	54
24	Mr. Cochrane.....	Amend Section 3, Chapter 50, Laws of 1890.....	54

HOUSE BILLS—Continued.

Number.	Introduced by	Title.	Introduction.
25	Mr. Lohnes	Management of Deaf and Dumb School.....	54
26	Mr. Oliver	Publication of Insurance Statements.....	54
27	Mr. Elliott.....	Maintenance of Soldiers' Home	62
28	Mr. Walsh	World's Columbian Exposition.....	62
29	Mr. Wishek	Establishing 32d Senatorial District.....	62
30	Mr. Hurley.....	Fixing Terms of District Court, Third Judicial Dis- trict	62
31	Mr. Pierce.....	Amending Chapter 81, Laws of 1891.....	62
32	Mr. Wineman.....	Amending Chapter 100, Session Laws of 1890.....	62
33	Mr. Wineman.....	Amending Section 2578, Compiled Laws.....	62
34	Mr. Logan.....	Relating to the Use of Native Coal.....	62
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56	Mr. Cochrane.....	Amend Section 1, Chapter 20, Political Code of 1887.	78
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58	Mr. Logan.....	Repealing Certain Chapters Relating to Education...	78
59	Mr. Horgan.....	Amending Section 1386 Compiled Laws.....	79
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61	Mr. Southard.....	Amending Civil Code.....	79
62	Mr. Benedict.....	Appropriation for the Manufacture of Potato Starch	79
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64	Mr. Bullard.....	Amends Chapter 123, Laws of 1889.....	86
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171	210	314	495	474	475	586	586	586											
		210	474	356		495													
			356																
			314																
171	210	210	573					573											
			398																
171	210	313	414	369	371	414	440	441											
		210	368																
			313																
171	210	600	670		670	708													
		210	600																
171	210	675	677	503	503	635	675	677											
		210	635	420															
			502																
			420																
171	210	210	558			558	284	284				440				558	569	579	
			278																
			261																
			315																
172	210	315																	
		210																	
172	211	311	471	369	371	471	460	461	854			854							
		211	368	311															
			311																
172	211	211	314			342	340	340											
208	226	226	332			777	393	393				757		757		776	783		
			392			392													
208	226	226	473			473	467	467				745		745			788		
			397																
208	226	226	271			855	391	392				833		833			857		
			290			391													
208	226	290	317	290			318	319											
			226																
209	226	261	278			809	283	284				791		791		809	817		
		226	261																
209	226	226	494	535	535	837	535	795				792		792	795	837	841		
			421	444	444	494		536											
			421			444													
224	234	234	405			405	404	404											
			310			404													
224	234	234	496	479	480	855	615	615				833		833			857		
			479			496													
225	234	452	390	390	390	452	452	452	452	452	738		738			766	777		
		234	278	262	262	354													
			262			284													
225	234	234	356			356													
225	234	234	634	813	813	822	650	813		814	814	743		743		766	826		
			542	542		821		650		800							777		
						634													
						561													
225	234	312	494	312	451	563	563	564	855	564	564	855							
		234	312			494													
						451													
225	235	235	404			785	341	341				753		753		782	803		
			312			404													
225	235	235	703						704										
			613																
225	235	235	404			785	402	403				753		753		782	803		
			312			404													
233	244	244	404			404	403	403											
			310																
233	244	244	423																
233	244	244	420																
233	244	244	404			404	404	404											
			310			404													
233	244	244	661				381	381				792		792		809	816		

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177	Mr. Southard.....	Appropriation to Pay Expense of Third Legislative Assembly.....	316
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194	Mr. Wallen.....	Defining Usury.....	334

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First Reading.	Second Reading.	Reference.	Reported Back.	Amended.	Amend'ts Adopted.	Engross. and Mis.	Third Reading.	Passed.	Lost.	Reconsidered.	Other Action.	Received from Senate.	Amended.	Unchanged.	Amen'ts Concurred in.	Conference Committee	Enrolled.	To Governor.	Approved.	Further Action.
292	292	292	607 503 419	.....	.....	607 419	.....	.....	623	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
293	293	293	689 671 625	671 625	672	680 710	710	710	.....	.....	.....	848	.....	848	.....	.....	.....	.....	.....	.....
298	293	371 293	495 398 369 357	369 357	445	495 445	582	582	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
306	306	611 609	611 609	609	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
306	303	.....	638 597	.....	.....	638	.....	.....	655	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
315	334	335	637 593	596	.....	637	654	655	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
316	335	649 335	657 639 572 445	657 573 445	657	828 649 639	657	657	.....	.....	.....	819	819	.....	.....	.....	828	834	.....	.....
316	335	566 335	598 472 399	598 472	472	565 475 472 473	718	.....	718 473	565	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
316	335	335	473 399	632	632	473	632	.....	632	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
316	335	335	405 358	.....	.....	797 405	405	405	.....	.....	.....	773	.....	773	.....	.....	797	805	.....	.....
316	335	706 335	705 633	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
316	336	336	633 545	.....	.....	843 633	641	641	.....	.....	.....	831	.....	831	.....	.....	842	844	.....	.....
316	336	336	730 394 357	.....	.....	732 394 394 393	393	394	.....	.....	.....	723	.....	723	.....	.....	730	736	.....	.....
316	336	336	578 420	.....	.....	584 578	584	.....	584	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
365	365	336	358	577	577	798	577	578	855	.....	.....	855	.....	.....	.....	.....	797	.....	.....	.....
316	336	336	633	.....	.....	633	645	646	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
317	336	336	545 539 494 477	.....	.....	633	645	646	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
326	336	336	539 494 477	533	533	817 539 494	533	533	.....	.....	.....	791	.....	791	.....	.....	818	825	.....	.....
326	336	336	633 547	.....	.....	633	641	.....	641	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
333	366	366	607 540	540	.....	798 607	619	620	.....	620	620	767	.....	767	.....	.....	796	805	.....	.....
333	366	366	637 591	.....	.....	637	655	656	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
333	366	366	470 374	.....	.....	470	471	472	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
333	366	366	494 423	423	.....	818 798 494	554	554	.....	.....	.....	755	.....	755	.....	.....	809 796	816	.....	.....
333	.....	.....	.....	.....	.....	333	.....	.....	333	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
334	336	336	578 435	435	435	785 578	533	534	.....	.....	.....	758	.....	758	.....	.....	782	804	.....	.....
334	366	366	374	.....	.....	.....	.....	.....	374	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
334	366	366	633	.....	.....	633	650	613	650	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
334	366	408 366	494 480 399	720 516 494 408	556	556	556	556	709	709	720	728	746

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202	Mr. Cochrane.....	Regulating Commercial Agencies.....	360
203	Mr. Simpson.....	Ascertaining Heirs of Deceased Persons.....	361
204	Mr. Logan.....	Relative to Wolf Bounty.....	361
205	Mr. Newman.....	Amend Section 5324 Compiled Laws.....	378
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208	Mr. Hallum.....	Walcott Independent School District.....	372
209	Mr. Caldwell.....	Repeal of Chapter 36, Laws of 1890.....	399
210	Mr. Bentley.....	Taxation of Telegraph Companies.....	399
211	Mr. Thexton.....	Marriage Licenses.....	399
212	Mr. Towers.....	Inspection of Oil.....	400
213	Mr. Southard.....	Invalidity of Tax Proceedings.....	400
214	Mr. Newman.....	Trial of Cases.....	400
215	Mr. Newman.....	Shipment of Grain.....	425
216	Mr. Hodgson.....	Organization of Fractional Townships.....	425
217	Mr. Wright.....	Sewerage into Rivers.....	425
218	Mr. Elliott.....	Taxation of Pullman Cars.....	435
219	Mr. Ritter.....	Amends Section 7120, Compiled Laws.....	437
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221	Mr. Southard.....	Exemptions.....	446
222	Mr. Southard.....	Amend Section 78, Chapter 132, Laws of 1890.....	447
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226	Mr. Ueland.....	Repealing Section 5, Chapter 128, Laws of 1891.....	448
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228	Mr. Satterlund.....	Escaping Taxation.....	448
229	Mr. Tufts.....	Drainage of Land.....	448

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233	Mr. Hodgson.....	Levy and Collection of Taxes.....	489
234	Mr. McCulloch.....	Amend Chapter 114, Laws of 1891.....	483
235	Mr. McCulloch.....	Publication of Revenue Law.....	483
236	Mr. Plain.....	Amend Chapter 76, Laws of 1891.....	483
237	Mr. Davis.....	Larceny of Live Stock.....	484
238	Mr. Caldwell.....	Woman Suffrage.....	485
239	Mr. Oliver.....	Levying and Collection of Taxes.....	485
240	Mr. Ebbighausen.....	Amend Chapter 110, Laws of 1890.....	497
241	Mr. Tufts.....	Drainage Law.....	497
242	Mr. Larson.....	Amend Chapter 132, Laws of 1890.....	516
243	Mr. Ebbighausen.....	Judgment for Tax Lien.....	516
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249	Mr. Havrevold.....	Regulating Elevators.....	531
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251	Mr. Newman.....	Salary of States Attorneys.....	549
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255	Mr. Benedict.....	Government of the Academy of Science.....	567
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258	Mr. McCulloch.....	Employment of Detectives.....	610
259	Mr. Oliver.....	Transfer of Personal Property.....	617
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1	Amend Australian Ballot Law	669	669	669	786	786
2	Repeal Sub-division 11, Section 1, Chapter 100, Laws of 1891	107	114	114	312
3	Regulating Building of Railroads, Prevent Damages to Property Owners Thereby	73	82	91	775 707	.....	.....	.....	.....	.....	.....	.....
4	Amending Sections 82, 83, 84, Constitution	73	82	91	512	512	.....	.....	.....	512	.....	.....
5	Joint Resolution Asking Donation of Fort Abraham Lincoln Reservation for State Reform School Purposes	67	70	91	.....	.....	.....	.....	91	.....	.....	.....
10	Compilation of Statistics of Births, Marriages and Deaths	688	696	696	.....	.....	.....	.....	.....	.....	.....	.....
11	Establishing Public Scales	386	502	502	591	.....	.....	759	759	.....	.....	.....
12	Relating to the Institute for the Deaf and Dumb of North Dakota	73	82	91	.....	.....	.....	.....	.....	.....	.....	.....
13	To Amend the Constitution	107	114	114	.....	.....	.....	.....	.....	.....	.....	.....
14	Regulating the Appointment of Deputy Sheriffs, Marshals and Policemen	611 82	659 82	659	.....	406 88	.....	.....	.....	.....	.....	.....
15	To Indemnify Residents for Stock Slaughtered.	731	731	731	.....	.....	.....	.....	.....	.....	.....	.....
19	To Change the Boundaries of the Counties of Stark and Mercer ..	107	114	114	428	466 465 468	429	465	466	.....	.....	.....
20	Maintenance of State University	481	485	485	513	.....	.....	518	518	.....	.....	.....
21	Appropriation Agricultural College at Fargo	481	485	485	513	513	513	521	522	.....	.....	.....
25	Appropriation for North Dakota Reform School	481	485	485	514	.....	.....	525	526	.....	.....	.....
26	Relating to First Judicial District	242	266	304	444	461	.....	463	464	.....	.....	.....
27	Relating to Corporations	107	114	310 114	310	764	310	764 207	765	.....	.....	.....
29	Amend Section 6490, Compiled Laws	406	502	502	708	.....	.....	.....	.....	.....	.....	.....
34	Appropriation for the Penitentiary	482	485	485	513	.....	.....	523	524	.....	.....	.....
35	Organization of State Banks	620	659	659	.....	.....	.....	852	852	.....	.....	.....
36	Appropriation for Soldiers' Home	482	486	486	513	.....	.....	519	520	.....	.....	.....
37	Reimbursing Gov. Burke	161	164	175	270	.....	.....	305	305	.....	.....	.....
39	Relating to the Succession of Real and Personal Property	242	266	304	370 355	370	370 355	825	825	.....	.....	.....

SENATE BILLS—Continued.

Number.	Title.	When Received.	First Reading.	Second Reading and Reference.	Reported Back.	Miscellaneous.	Amended.	Third Reading.	Passed.	Lost.	Conference.	Action.
40	Providing for the Management of the Mayville Normal School...	452	486	486	514			521	521			
41	Renewing and Releasing Chattel Mortgages.....	437	499	499	607							
42	Defining Boundaries of Second Judicial District.....	242	256	298	353			756	757			
43	Amend Chapter 62, Laws of 1890.....	161	164	175								
44	Relating to the Use of Telegraph and Telephone Lines.....	243	267	267	271	354 306 267	319	305	319			
45	Relating to the Manufacture of Butter and Cheese.....	727	729	729								
46	Encouragement of Higher Education.....	551	602	602	685	715 685	715	715	715			
48	Fixing Minimum Time for Which Offenders May be Confined in Penitentiary.....	187	267	298	355	556	355	559	560			
49	Compensation of Lieutenant Governor While Acting as Governor..	406	501	501	788 543			799	800			
50	Maintenance of Valley City Normal School...	482	486	486	512			522	523			
53	Redistricting Commissioner Districts.....	669	694	694								
54	Appropriation for Building of Deaf and Dumb School.....	482	486	486	514			526	526			
55	Maintenance of Deaf and Dumb School.....	482	486	486	514			524	525			
56	Reprieves and Pardons..	242	267	401 304	374	429 401 374				374		
57	Duty of the Attorney General as to Escheats.....	243	267	298	353							
60	Relating to State Treasurer.....	612	659	659	787			792	793			
61	Defining Fiscal Year....	326	500	500	544			836	836			
62	Reimbursing Ward County.....	354	436	436	515	496		527	528			
63	Coroner's Inquests in Ward County.....	491	491	491	544			738	738			
64	Appointment of Notaries Public.....	242	267	304	375	811		805	811	811		
66	Incorporation of Cities	407	499	609			772	772				
69	Reducing Salaries of Railroad Commissioners.....	407	499	499								
70	Relating to Abduction	687	696	696								
72	Amend Chapter 24, Laws of 1890.....	482	491	491	514			520	521			
73	Management, Control and Disposal of Public Lands.....	624	660	660				744	744			
76	Maintenance for Hospital for the Insane.....	632	660	660	660			740	741			

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Number.	Title.	When Received.	First Reading.	Second Reading and Reference.	Reported Back.	Miscellaneous.	Amended.	Third Reading.	Passed.	Lost.	Conference.	Action.
77	New Buildings for Hospital for Insane.....	482	492	492	514	524	524
78	Amend Chapter 68, Laws of 1891.....	242	267	304	779	823	823
79	Relative to the General Incorporation Act....	624	659	659	851	851
80	Jury Fee in Civil Cases..	267	267	304	407 353
81	Purchase and Importation of Thoroughbred Stock.....	406	500	500	707
83	Protection of Birds.....	406	500	500	597
84	Platform Bill.....	725	730	730	783	784
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