DAKOTA LUGISLATURE

South Dakota played her trump card the 16th by giving notice in both houses of the legislature of the introduction at an early day of a bill to remove the capital from Bismarck. The notice did not take people entirely by surprise, as during the past twentyfour hours rumors of capital removal had been afloat; yet Bismarck people generally gave discredit to them. It transpired, however, that they were reckoning without their host.

THE COUNCIL COMMITTEES,

THE COUNCIL COMMITTEES.

The committees are as follows:

Judiciary, Messrs, Gamble, Washabaugh, Austin, Natwick, Farmer, Nickeus and McLaughlin; education, Wells, Cameron, Twomey, Kennedy and Hueston; appropriations, Pettigrew, Walsh, Nickeus, Kennedy, Wells, Huesten and Gamble; rairoads. Smedley, Bowdle, Twomey, Washabaugh, Cameron and Nickeus; revenue, Austin, Smedley, Gamble, McLaughlin and Wagner; territorial affairs, Farmer, Flittie, Day, Twomey and Washabaugh; 'federal affairs, Natwick, Smedley, Walsh, Duncan and La Moure; counties, Wagner, Day, Jones, Kennedy, Flittie, Nickeus and Pettigrew; cities and municipal corporations, La Moure, Austin, Pettigrew, Farmer and Duncan; public buildings, Bowdle, Day, Washabaugh, Pettigrew and Kennedy; public printing, Richardson, Jones, Wells, McLaughlin, and Natwick; mines and minerals, Washabaugh, Wells, Wagner, Flittie and La Moure; agriculture, Day, Richardson, Smedley, Wagner and La Moure; engrossed and enrolled bills, McLaughlin, Jones, Richardson, Duncan, and Flittie; insurance, Twomey, Gamble, Washabaugh, Waish and Huetson; banks and banking, Huetson, Austin, Pettigrew, Cameron, Bowdle; public health, Kennedy, McLaughlin, Wells, Austin and Jones; warehouses and grain grading, Walsh, Richardson, Bowdle, Flittic and Day; incorporations, Cameron, Farmer, McLaughlin, Wells and Walsh; military affairs, Duncan, Richardson, Wash, Smedley and Day; charitable and penal institutions, Nickeus, Pettigrew, Twomey, Natwick and Gamble; immigration, Flittie, Huetson, Wagner, Natwick and Austin; highways, bridges and terries, Cameron, Day, Duncan, Bowdle and Nickeus; rules, Washabaugh, Nickeus, Pettigrew, Gamble and Walsh.

Twelve bills were introduced, among The committees are as follows:

NEW BILLS.
Twelve bills were introduced, among them one by Mr. Pettigrew, which was given a second reading, appropriating \$25,-000 to defray expenses at the New Orleans exposition. The rules of the last session were adopted. A motion was carried for & committee of three, to act in conjunction with a like committee from the house, to confer with a committee from the Minnesota legislature concerning questions arising concerning the grading and transportation of grain, and Messrs. Kennedy, Walsh and Austin were appointed such committee. Secretary Howard arrived and was sworn in. Mr. Kennedy gave notice of a bill for capitol removal. In the house, a motion to appoint a committee on apportionment was lost by a vote of 18 to 30. The committee on elections reported adversely to the admission of D. N. Ensign as a delegate. The committee on printing reported having arranged with M. H. Jewell for the printing of 500 copies of the journal daily, the price charged being \$1.85. Mr. Williams gave notice of the introduction, at an early date, of a memorial to congress asking for the division of the territory. Scarcely had he taken his seat when Mr. Pickler arose and gave notice of his bill for the removal of the capitol. Mr. Steele introduced a bill to reg. ulate the weighing, inspection and grading of grain. Mr. Barnes introduced a till to change the schoolable age of children from five to seven years.

Those who went to the capitol building this morning expecting to see a lively wrangle over the bill providing for the removal of the seat of government from Bismarck were disappointed, as the proceedings were devoid of any particular interest. By eleven o'clock, the time for the assembling of the house, the gallery was filled to its utmost capacity with a crowd of expectant people, while the lobby was occupied by members of the council and a number of Bismarck's leading citizens. The usual dull routine of reading the journal and other preliminaries were gone through with until the introduction of bills occupied the attention of the house. Four bills were introduced, among them the following, by Mr. Pickler of the Sixth district (Faulk county), providing for the removal of the capital:

An act to re-locate the capital of the Territory of Dakota:

Be it enacted by the legislative assembly of the Territory of Dakota— Section 1. The seat of government of the Ter-

section 1. The seat of government of the Territory of Dakota is hereby removed from the city of Bismarck, in the county of Burleigh. Territory of Dakota, and said seat or government is established and located at the city of Pierre, in the county of Haughes, in said territory.

Sec. 2. Any and all interest or title which the said Territory of Dakota may have acquired in any real property under or in pursuance of any act entitled "An act to provide for the location for the seat of government of the Territory of Dakota, and for the erection of public buildings thereat," approved March 8, 1883, and any and all interest or title which the said territory may possess in or to any building or buildings that may have been constructed on such real property, with the appurtenances thereto belonging, is hereby released and transferred to the said city of Bismarck; provided, however, that the said city of Bismarck pay and discharge any and all liabilities and indebtedness accrued, or which may hereafter accrue on account of the erection and construction of such buildings, such indebtedness to be paid by said city within one year.

Sec. 3. This act shall take effect from and after its passage and approval.

As the title was read a look of eager expectancy was seen in the faces of the spectators, but as the clerk laid the bill on the

pectancy was seen in the faces of the spectators, but as the clerk laid the bill on the table and proceeded to read others in the same manner, there was a general feeling of disappointment. When, however, Mr. Pickler asked unanimous consent for its second reading, and the clerk began to read, a hush fell over the assembly and every ear was fell over the assembly, and every ear was strained to catch each word. The second section attracted particular attention, es-pecially among Bismarck men, who re-marked at the close of the session that the Southern members were exceedingly generous to them. Upon adjournment several of the South Dakota men stated that they would assemble Monday morning and remain in session till the bill was passed. As the house proceedings had proven so tame, all hands looked for excitement. all hands looked for excitement

IN THE COUNCIL,
which met at 2 p. m.; but nothing of interest occurred there to entertain the members of the house and large numbers of outsiders who were present. A bill, an exact copy of Mr. Pickler's, was introduced by Mr. Kennedy and read only by title. No exciting scenes need be expected until the bills come up for discussion in the two houses, when there will doubtless be music by the full there will doubtless be music by the full

band.

To the Honorable, the Congress of the United States: The legislative assembly of the Territory of Dakota respectfully represent that the people of Dakota earnestly desire the passage of the bill now pending in the house of representatives, providing for the admission of the southern portion of Dakota as a state, and for the creation of a separate territory from the northern part thereof. The sentiment for division is so universal, and the reasons for it so apparent, that the people of this territory have believed and still believe that this measure of justice cannot be refused them. The probable division of Dakota has been considered in the conventions of both parties at every meeting for the last thirteen years, and

nas been almost unanimously approved. The legislature has repeatedly memorialized your honorable body for division. Public institutions have been located and build with a view to division. Conventions have been held in both sections in order to prosecute division, and delegations have been appointed to go to the capital of the United States to labor for division. They have adopted every possible form of honorable petition for division. The population and area of the territory justify division, and to refuse it leaves both sections of the territory in an unsettled condition and operates to the serious disadvantage of both. The area of the territory is greater than the combined area of New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware and Maryland The population of the territory, as shown by its vote, by the public lands occupied, by its postal and internal revenues, by its banking and business interests, is not less than 450,000, and there is good reason for believing that it amounts to 500,000. The climate, surface and soil of the territory are as well adapted to agricultural pursuits and development as the climate, surface and soil of lilinois and lowa. The people of the territory have as great a regard for the rights of others, and smart as keenly under a sense of injustice as those of any othe state or territory. The revenues paid into the United States treasury by the people of Dakota, and the statistics attainable prove that the population and material interests of the territory are sufficiently great to justify this consideration at your hands. No difficulty can arise as to the apportionment of the public debt, as it was wholly created for the erection of public buildings in that portion of the territory should be paid for by the same, and those issued for public buildings in that portion of the territory, should be paid for by the same, and those issued for public buildings in that portion of the territory. The union of the territory is hould b

Shortly after the opening of the session E. A. Williams presented a petition signed by over three hundred citizens of Bismarck and Burleigh county asking the legislature to memorialize congress for division of the territory. Later in the proceedings he followed up the petition with notices of two bills; one to authorize the governor and secretary to reappraise the lots in the capitol addition, and the other to authorize Burleigh county to issue \$40,000 bonds to be used in buying lots sue \$40,000 bonds, to be used in buying lots to cancel indebtedness on
THE CAPITOL BUILDING

These notices were immediately followed by one from Mr. Pickler for the appointment of a joint committee to consider means to be used to secure the division of the territory on the forty-sixth parallel, and the admission of the southern half as a state. The introduction of the petition and notices of the bills began, and excited considerable interest, so that when Mr. Pickeer moved that his capital removal bill, which had been eiten for the petition of the which had been given its second reading on Baturday, be engrossed every one was on the qui vive. The motion was quickly followed by a motion from Mr. McCumber, a North Dakota member, to postpone consideration of the bill for two weeks.

Mr. Johnson of Brown county then offered an amendment to the effect that the bill be considered Wednesday at 12 o'clock. Then occurred a discussion that excited considerable interest as it was the precited considerable interest as it was the precited considerable interest, as it was the preliminary battle between the opposing forces. Mr. McCumber stated as his reasons for moving a postponement that its immediate con ing a postponement that its immediate consideration would create animosity, and thereby seriously clog the wheels of legislation; that the interest of the farmers oppressed by monopolies demanded immediate attention and that the performance of duty should take precedence of every other measure. Mr. Pickler replied by stating diametrically opposite opinions. In his judgment the southern members could not conscientiously occupy the building where his judgment the southern members could not conscientiously occupy the building where demands for appropriations stared them in the face on every hand in the shape of an unfinished building, steam heating apparatus and furniture. He believed the capitol should first be located, and after that legislation would receive its just share of attention. Messrs. Williams and Steele also spoke on the question, following practically the same line of argument as Mr. McCumber.

THE AYES AND NAYS.

THE AYES AND NAYS
were called on the vote. Mr. Johnston's
amendment was carried by a vote of 32 to 15; Mr. Smith of Minnehaha county being excused from voting at his own request, and Mr. Strong of Pembina county voting with the southern members. While not strictly a test vote, yet it indicates to a certain extent how the land lies.

how the land hes.

THE REGULAR BUSINESS

of the legislature is progressing as well as could be expected. Most of the time was occupied by the council in adopting rules of order and providing for the printing of the journal. Eleven bills were introduced, the principal ones being by Mr. Jones, to regulate the handling and shipment of gran, and by Mr. Walsh, creating the office of public examiner. Under the new rules of the council notices of bills are dispensed with, and bills are read the first and second times by their titles only. The and second times by their titles only. The school book mania has struck Dakota, Mr. Bayard having given notice in the house to-day of a bill to provide uniform text-books. Mr. Southwick also gave notice on the house of a bill to levy and collect taxes from railroad and telegraph companies. Under the provisions of the bill these corporations will be viewed in the same light as private individuals. The bill will proprivate individuals. The bill will pro-vide for the taxation of railroad lands in addition to taxing their gross earnings; also a taxation upon sleeping car which under the existing laws go scot free. A resolution was passed in the house provid-ing for the appointment of a committee of the to act in conjunction with all the correct five to act in conjunction with a like committee from the council to confer with a committee from the Minnesota legislature concerning grain grading and transportation. Mr. Oliver of Ransom county introduced in the house to-day a bill relating to warehousemen and the transportation of grain of which the following is tation of grain of which the following is an

Section 1 provides that all railroads shall receive and transport grain in bulk in car-load lots from any siding or station, provided that the railroad may require cars to be loaded within twenty-four hours.

Sec. 5. Gives any and all persons the right to erect elevators of any capacity adjacent to railroad tracks, provided owners of such elevators keep them open for the reception of grain from Aug. 15 to April 1, each year.

Speaker Rice will appoint his committees to-morrow. The council committee on elec-tions are considering the case of Collins va Walsh this evening, and will probably report

Sec. 2 provides for uniform rates for the same

Sec. 2 provides for uniform rates for the same tinds of grain, and allows no rebates.

Sec. 3 requires railroads to keep a schedule of rates posted in their freight offices.

Sec. 4 makes railroads refusing to provide cars in a reasonable time subject to a fine of \$100, which sum shall go to the aggrieved party. Excessive charges shall be a just cause for suit by the aggrieved party.

Over fifty bills have alread y been introduced in the council, and about the same number in the house. The first measure receiving the sanction of the council was Mr. Pettigrew's bill providing for the appropriation of \$2,000 to defray the expenses of the Dakota exhibits at the New Orleans exposition, which passed by a vote of 21 to 2—Messrs. Jones and Natwick voting in the negative, and Mr. McLaughlin haing about.

who toting in the negative, and Mr. McLaugh lin being absent.

Mr. Kennedy's bill providing for the relocation of the capital was given its second reading and referred to the committee of the whole for consideration at 12 o'clock on Thursday. A mania for the introduction of bills seems to have attacked Mr. Natwick, as no less than pine were presented by that gentleman recent.

Said that several of the South Dakota members are after Attorney General Hughes' official scalp. A bill providing for the extension of time for the payment of taxes from February to April, reported back from the committee to-day, with recommendation for passage, caused considerable discussion, in which most of the members enhanced and guarded his hut berried and guarded his h

1y. One of them provided for the appropria-tion of \$64,500 for the completion and main-tenance of the agricultural college at Brookings, the other eight relating to amendments of different portions of the statutes.

HOUSE COMMITTEES. Speaker Rice appointed the following standing committees:

Judiciary-Martin, Runkle, Barnes, Pickler, Eldridge, Sprague, Williams, McComber, Morgan.
Education—Bayard, Myron, Swanton, Parshall,

o'clock to-day us the hour for the consideration of Mr. Pickler's capital removal bill drew a large crowd to the capitol building this morning. The gallery of the house was literally packed, and a considerable number of people occupied the floor in the rear of he members' desks. Among the spectators were several ladies. The first order of business after roll call and the reading of the journal was the report of the committee on elections in the case of Anderson vs. Hutchinson. Mr. Hutchinson hold the certificate of election and has occupied a seat in the house up to date. The evidence submitted by the committee shows that some two hundred votes had been thrown out on account of errors m the printing of tickets, thereby giving Hutchinson a small majority. The report closed with the opinion that Anderson is entitled to the seat now held by Hutchinson. Messrs. McComber and Coe inson. Messrs. McComber and Coe members of the committee, submitted a minority report, recommending that the case be held open for several days in order inson. In the house in the house member and coe member and coe member from of twelve, consisting of one member from case be held open for several days in order to give Hutchinson an opportunity to submit certain evidence in the case which had not been considered. While discussion on the adoption of the report was going on, Southwick of Kingsbury county moved an adjournment. The motion was promptly seconded by Mr. Dewoody of Edmunds county, and the cierk began calling the roll. Before the roll call had progressed far the fact was evident to all that one party or the other had made a sudden move for the purpose of staving off the question of capital removal, and when the clerk announced the motion as carried by a vote of 24 to 22, the impression was materially strengthened. A scene of confusion followed, in which both members and spectators participated, groups being formed, and the situation discussed excitedly. It transpires that the move was made by some of the members to stave off action on the removal question until they could hear from their constituents, as well

wick, Mark Ward, and Speaker Rice. The North Dakota men were JUBILANT OVER THE RESULT, and claimed that they had made a successful inroad upon the ranks of their opponents.

Six bills were introduced to-day in the council, among them being one appropriating \$32,000 for the completion and maintenance of the normal school at Madison.

Mr. Wells, from the Black Hills district, introduced a bill providing for the organizatroduced a bill providing for the organiza-tion of a school of mines, to be located at liapid City, the cost of erection to be defrayed by bonds of \$20,000, at 6 per cent, runni-sg twenty years, payable at the option of the territory after a period of ten years from the date of issue. The bill further provides that the work of erection of the buildings shall be commenced in pinety days after the work of erection of the buildings shail be commenced in ninety days after the approval of the act. The bill creating the office of attorney gen-eral was given its second reading to-day and referred to the committee on ter-ritorial affairs. In this connection it may be said that several of the South Dakota mem-hers are after Attorney General Hughes'

as to await action of the council in the matter. The Northern members voted for adjourn

ment with the exception of Messrs. Oliver

and Strong. The following southern members also voted for adjournment: Messrs.

Barnes, Dewoody, Eldridge, Huntington, Hueston, Hobart, Johnson Logan, South-

a rehash of its county seat troubles. A bill was introduced in the council Monday by. Mr. Wagner, providing for the division of the county and the formation of a new county named Payson, the latter to consist of two tiers of townships from the southern part of Spink county, and one tier from the northern part of Bendle county. By the terms of the Spink county, and one tier from the northern part of Beadle county. By the terms of the bill Ashton is to be the county seat of Spink county, and Alteona of Payson. The committee on counties met immediately after adjournment to-day to consider the bill. A number of lobbyists were present to favor the scheme. C. H. Myers, of the capital commission, appeared to press the claims of Redfield, where he owns a considerable number of town lots, for the county seat. A

Judiciary—Martin, Runkle, Barnes, Pickler, Eldridge, Sprague, Wihams, McComber, Morgan, Langan, Huston, Marton, Parshall, Blementer, Coe, McComber, Martin, Pekler, Dawson, Smith, Dewoody, Hilliams, Stebbins, Roach, Counties—Mark, Ward, Miller, Oliver, Dewoody, Helvig, Coe, Scott, Van Osdel, Morhand, Townships and Chies—Miller, Eldred, Runne, Public Printing—Pash Huchinson, Huntington, Public Printing—Pash Huchinson, Branch, Blakemore, Dawson, Martin, Ruzer, Pugh. Territorial Affairs—Stebbins, Scott, Strons, Bott, Strons, Southwick, Barking—Pugh, Runkle, Myron, Langan, Suthwick, Stevens, Morgan, Martin, Perce, Meller, Huston, Riddell, Eldridge, Roach, Mark, Ward, Steele, Southwick, Barking—Pugh, Runkle, Myron, Langan, Suthwick, Stevens, Morgan, Martin, Bayard, Stevens, Oliver, Mark, Ward, Steele, Southwick, Helvig, Langan, Parshall, McConber, Hutchinson, Penal Institutions—Southwesk, Stevens, Morgan, Martin, Bayard, Stevens, Oliver, Morgan, Huston, Rayard, Strong, Southwick, Highways, Bridges and Ferries—McCall, Helvig, Langan, Parshall, McConber, Hutchinson, Penal Institutions—Southwesk, Stevens, Morgan, Martin, Pierce, Melley, Coe, Hutchinson, Parshall, Pierce, Melley, Coe, Hutchinson, Pierce, Hutchinson, Bayard, Stevens, Morgan, Grage, Manufactures—VanOsdel, Dewoody, Larson, Filiphic Health—Runer, Coe, Hutchinson, Pierce, Miller, Ward, Hutch, Cark, Miller, Ward, Miller, Ward, Miller, Ward, Miller, Ward, Miller, Martin, Piekler, Myron, Langan, Hutch, Cark, Miller, Martin, Piekler, Myron, Langan, Hutch, Cark, Miller, Martin, Piekler, Myron, Langan, Pierce, Melley, Coe, Hutchinson, Pierce, Miller, Martin, Pierce, Melley, Martin, Pie

Military Affairs—Morgan, Johnson, Pickler, Federal Relations—Roach, J. P. Ward, Williams, Miller, Martin, Pickler, Myron.
Public Buildings—Riddell, Huntington, Methuch, Clark, Swanton, Runke, Price, Miller, Southwick.
Rules—Blakemore, McHugh, Eldridge, Steele, Barnes, Riddell, Huston.
In the house the following are the more important measures introduced to-day:

By Mr. Pickler, a joint resolution providing for the appointment of a committee of seven from the house and five from the councit, one member to be selected from each lerislative district, to take into consideration the relations of the territory to the general government, and to report from time to time to the legislature such action as they deem advisable to be taken to secure the division of the territory and the admission of the Southern half as a state and what further action the people should take to convince congress that they are unalterably opposed to its admission as a whole; by Mr. Roach, providing for an appropriation for the erection of a normal school at Lamoure; by Mr. Myron, prohibiting the sale of intoxicating liquors within two miles of the university at Vermillion; by Mr. McCall, providing for the state board; by Mr. Parshall, providing for the construction of normal school buildings at Springfield.

A joint resolution authorizing each member to subscribe for seven daily papers during the session and appropriating a sufficient amount to pay for the same passed by a votation of the construction of the state board; by Mr. Parshall, providing for the construction of

each legislative district. Mr. Pickler moved that the motion be laid on the table, and succeeded in carrying his motion. Then followed about an hour of filibustering Mr. Pickler leading the southern and Mr. Williams the northern forces. Mr. Williams is much the better parliamentarian of the two; but what his opponents lacked in knowledge of "Jefferson's Manual" they supplemented by the force of superior numbers. The supporters of the bill finally voted to refer it to the committee for engrossment, after which it will come up in its regular order to morrow for consideration. regular order to-morrow for consideration.

The filibustering resorted to is more or less directly chargeable to Pickler, who desired to secure the notoriety of having his bill passed by the house before the council bill is passed. The majority of the southern mem-bers prefer, however, that the council take action first, in order that in case of an execu-tive veto the bill will be returned to the senior body for consideration.

An important bill was introduced by Mr. An important bill was introduced by Mr. Southwick, providing for the assessment levy and collection of taxes upon railroad and telegraph companies. Following are its principal provisions, the entire bill being based upon the Illinois law:

Section 1. Every person or corporation operating railroads in the territory shall return sworn lists of their property.

Sec. 2. Companies shall file with the county clerk of each county full lists of property in such county.

Sec. 3. Right of way and superstructure shall

bec. 3. Bight of way and superstructure shall be held real estate for the purpose of taxation.

Sec. 4. The value of track to be listed and taxed in the several counties.

Sec. 5. Rolling stock of all kinds, including dining and sleeping cars, to be listed as personal property for purposes of taxation.

The other sections provide that a schedule of real estate shall be filed with county clerks; that a schedule of all kinds of property shall be filed with the territorial auditor; that neglect to make return of property shall be punishable by make return of property shall be punishable by a fine of not less than \$1,000 or to exceed \$10,-000; that schedules shall also be given to the territorial board of equalization, and that the rate of taxation shall be determined by assess-ment, as in the case of any other property.

Thomas Atchinson, known as the heamit of the Jim river valley, was found dead in his sod shanty near Milltown, having frozen to death. Atchinson was an eccentric but inoffensive old man, who barred and guarded his hut and

There is no expectation of serious

Thomas Adkinson, living near Milltown, was found frozen to death in his LAND OFFICE.

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