DAKOTA LEGISLATURE.

I'ne attention of the council was occupied part of the afternoon considering the so-called "Omnibus appropriation bill," making appropriations for the running expenses of rritorial institutions the ensuing two years. | A column

BILLS INTRODUCED IN THE COUNCIL. By Jones, defining powers of the Presbytery of South Dakota. By Bowdle, amending the city charter of Chamberlain.

House bills passed: House bills passed:

Providing for the erection of a court house in Clark county; incorporating the city of Clark; relating to county seat of Spink county; changing the name of Nordway village to Arlington; amending the code of civil procedure; relative to appeals by counties; making Burleigh county warrants receivable for county taxes; amending the penal code so that penitentiary sentences may be less than one year; creating a county of Adams; providing for annual elections in Faulk county to locate the county seat until it is located on a railroad; creating the office of com-Adams; providing for annual elections in Faulk county to locate the county seat until it is located on a railroad; creating the office of commessioner of immigration; for the issue of McPherson county funding bonds; revising and amending the civil code relative to insurance companies; for the protection of prairie chickens, plover and other game; authorizing Minnehaha, Miner, Kingsbury, Beadle, Sully and Aurora counties to aid persons whose crops were destroyed by storms; prohibiting civil officers from entering into contracts with municipalities or the territory.

Bills introduced in the house:

entering into contracts with municipalities or the territory.

Bills introduced in the house:

By Mr. Larson, amending section 1 and repealing section 6 of the act relating to bonds and coupons issued by township of Elk Point. By Mr. Parshall, providing for the purchase of 100 copies of the first and second volumes, Dakota reports. By Mr. Huntinton, authorizing Andover school township, No. 9, Day county, to issue bonds to build school houses. By Mr. Steele, amending the charter of the city of Steele. By Mr. Williams, establishing a commission on legislation.

HOUSE BILLS PASSED.

Incorporating the city of Salem, McCook county; amending the act establishing Independent School District No. 1, Turner county; establishing Independent School District No. 1, Turner county; establishing independent School District No. 1, Turner county; establishing independent School District No. 2, Turner county; amending the charter of the city of Lisbon, Ransom county; appropriating \$1,500 to defray the expenses of the territorial board of agriculture; appropriating \$260 for the construction of a sewer and cesspool for the capitol building; supplementary to art. 4, chap. 11, Code of Civil Procedure; amending sec. 2, chap. 77. General Laws of 1881; amending very anknown and Deadwood; relating to foreclosure of mortrages on real estate to be foreclosed in court rather than by advertising; amending sec. (672) political code; relating to certificates; amending sec. 32, chap. 28, political code; amending sec. 30, chap. 29, political code; amending sec. 40, chap. 21, political code; amending sec. 50 and 50, chap. 21, political code; amending sec. 50 and 50, chap. 21, political code; amending sec. 60 and the village of Woonsocket; establishing an independent school district in Flandreau, Moody county; amending the charter of the city of Steele; amending sec. 61 and repealing sec. 61 law of 1881, relating to b Council bills passed:

Establishing territorial and county health; providing for the organization and main-tenance of territorial militia, and appropriating tenance of territorial min \$15,009 for their support.

•• Governor's veto message concerning the val of the capital was received, and laid er for one day.

THE BRIBERY INVESTIGATION. which has been hanging fire for the past two or three days, has taken definite shape in the arrest of Wells and Prentice of Pierre.

The charges made in the complaint were to the effect that they offered and paid to Dewoody \$1,000 to secure his vote for the capital removal bill. CONFIRMED BY THE COUNCIL.

In executive session the council confirmed the nomination of A. Sheridan Jones, memthe nomination of A. Sheridan Jones, member of the council, to be superintendent of public instruction, vice Rev. Joseph Ward of Yankton, recently appointed, declined. Mr. Jones lives at Olivet, Hutchinson county, is Pierre. I pass by the fact that \$200,000 worth of property now belonging to the territory is a county of property now belonging to the territory is a contract of the property of the county of property now belonging to the territory is a contract of the county of property now belonging to the territory is a contract of the county of property now belonging to the territory is a contract of the county of property now belonging to the territory is a contract of the county of the county of property now belonging to the territory is a contract of the county of the coun forty-four years old, was born in Onio, came to Dakota in 1872, served as a private and non-commissioned officer in Company E, Third Wisconsin, in the Army of the Potomac three years, was four times wounded, and since 1872 has served as county superintendent of schools, district attorney, county com-missioner and territorial auditor. Before the war Mr. Jones was a teacher in the common schools and academic institutions, and and at the head of the department of penmanship in Bryant & Stratton commercial college in Cleveland. He is now practicing law and editor and owner of the Rural Voice, a weekly paper at Olivet directed to agri-culture, literature and home news. Bills introduced in the council:

Vacating the bottom land portion of the city of Canton; establishing independent school district No. 2, Bon Homme county; providing for volunteer road grading and ditching in Red river counties; legalizing the act of the commissioners of Spink county, in offering a reward for the arrest of persons who moved the county records; concurred in house amendments to the general insurance bill, except relating to fees general insurance bill, except relating to fees and salary of the auditor, and on that asked a

Council bills passed: Amending the city charter of Mitchell, so as to require one-fourth of the license collections to be paid to the county; authorizing Brown county, when Adams county has been set off, to fund indebtedness; amending the charter of Chamber-lain walkits, to licenses; apprecia debtedness; amending the charter of Chamberlain relative to licenses; providing a special
election in May to locate the Steele county
seat; creating Norman county, by taking
five towns from Steele county and ten towns
from Traill county; amending the statute relating to capital punishment so that the judge
may determine the grade of crime on plea of
guilty; providing for vacating town plats by
proceedings in court; amending the
statute relative to salaries of district
attorneys and probability of reduction during terms of office; making owners of
dogs liable, without exemptions, for damages by
the same to sheep; bonding for county auditors
in Brown, Day, Grant, Codinaton, Deuel, Sargent and Dickey counties; defining the powers
of the Presbyterv of South Dakota; vacating
plats in Odessa, Ramsey county, Wamdreskea,
Nelson county, and Lounsberry's addition to
Bismarck.

The council rejected the council bills cre-

The council rejected the council bills creating the office of public examiner, and Walsh's, for regulating elevators and weighing and inspection of grain.

ing and inspection of grain.

HOUSE BILLS PASSED.

Amending the Mandan city charter; canceling a deed of gift by Milton Connors of land in La. Mour county for a normal school, which the teritory has not accepted; incorporating the city of Big Stone City and making it an independent school district; amending the city charter of Eik Point relative to licenses and saloon regulation; for ascertaining the timber acreage in the territory; legalizing the Butte county assessment of 1883; making drainage receipts ment of 1883; making drainage receipts under the law of 1883 receivable for taxes; amending the village charter of Parker: transferring Burleign county's debts proportionally with towns annexed to Kidder sounty; for dividing Richland, Faulk, Hyde and Serient counties into commissioner districts; requiring all copp jes to provide offices for all

omcers; memorial for opening the Sisseton reservation: appropriating money for a normal school at Springfield; establishing the Grand View independent school districts; changing the name of Logan township to Plankerton; authorizing Nelson county to fund debts; authorizing the change of name of the Tenham Lumber and Elevator company; providing for changing the names of villages and towns by county commissioners; changing the name Marshall village to Englevale; amending the code relative to confirmation to pleadings; changing the name of the town of Victoria to Coal Harbor.

House bills passed:

Coal Harbor.

House bills passed:

Authorizing the commissioners of Walsh county to purchase a poor farm; repealing chapters of the special laws of 1867-68-69-70-71 and 1872-73; relating to bonds of Union county; relating to the selling and smoking of opium; authorizing the commissioners of Cavalier county to fund indebtedness; authorizing Marion school township, Turner county, to fund indebtedness; authorizing Sarton indebtedness; authorizing Marion school township, Turner county, to fund indebtedness; authorizing school township No. 19, Day county, to issue conds to build a senool nouse; amending section 1, chapter 48, laws of 1879; creating St. Pierre county; amending chapter 7, session laws of 1883, relating to drainage; incorporating the village of Valley Springs; incorporating the village of Frankfort; authorizing Grant and Montrose school townships to fund indebtedness; providing for the return of patients at the insane hospital to their homes; providing for the formation of school districts; authorizing Stark county to issue bonds to erect a court house and jail; authorizing Union township, Edmunds county, to issue bonds to fund indebtedness; legalizing the acts of the commissioners of Dickey county in in erecting a court house; organizing Salem township, Morton county; establishing an independent school district in Bridgewater; establishing independent school district in Harrison, Douglass county; appropriating \$397 for the payment of witnesses in the contested cases of Anderson vs. Hutchinson, and Bechtel vs. Stong; the joint resolution providing for printing and binding the laws of this legislative session; amending the act authorizing the commissioners of Day and Hyde counties to fund indebtedness; authorizing the commissioners of Mercer county to issue bonds to erect a court house and build bridges.

Council bills passed:

Council bills passed:

Defining the boundaries of Cavalier county; authorizing commissioners of Dudley county to fund indebtedness; amending secs. 7 and 15, shap. 39, Civil Code, fixing terms of court in the Sixth judicial district; authorizing the commissioners of Hughes county to fund indebtedness; authorizing the commissioners of Hughes county to fund indebtedness; authorizing the commissioners of Potter county to fund indebtedness; authorizing the commissioners of Potter county to fund indebtedness; defining the boundaries of McLean county; relating to certain streets in Madison, Lake county; vacating certain portions of Mathews' addition, city of Brookings; incorporating Howard, Miner county; amending sec. 5, chap. 13, Laws of 1879, relating to the blind; incorporating Mayville, Traill county; incorporating Fairbank; amending the charter of Canton; providing for taking depositions in continual cases; authorizing Foster county to issue bonds to build a court house; authorizing Yaukton county to remit certain taxes; amending the charter of the city of Casselton; authorizing Miner county to fund indebtedness; establishing an independent school district in Gliman Lake county; changing the corporate limits of the city of Redfield; changing the unme of certain churches in Bonhomme county; regulating the passage of fish in the James river; amending section 5, chap. 27, Revised Code; amending section 5, chap. 27, Revised Code; amending section 5, chap. 27, Revised Code; amending section of county officers and the location of county officers and the locati Council bills passed: sec. 6, chap. 19, Political Code; amending sec. 1, chap. 44, Special Laws of 1883; preventing the spread of noxious weeds; amending sec. 108, Political Code; amending sec. 4, chap. 3, Political code; amending chap. 39, laws of 1879; authorizing the commissioners of Lawrence county to settle with and release the sureties of Robert Hill, treasurer of the said county; establishing an asylum for the blind at Ipswich.

Governor Pierce's Veto of the Territorial Capital Removal Bill.

Executive Office, Bismarck, Dak., March 9, 1885.—To the Speaker of the House of Representatives: Sir—I have the honor to return herewith House Bill No. 7, which has been submitted me for my concurrence and approval. This bill provides for the removal of the capital from the city of Bismarck to the city of Pierre. If there are questions of equity involved in this measure I will not now discuss them. If there is something like retributive justice in this them. I pass by the question of expense and taxation in the construction of new buildings in corruption which may have been made, to come to the consideration of the one question: Is this measure legal? We have all taken an oath to support the constitution of the United States. Section 10 of article 1 of that constitution prohibits the passage of any law impairing

THE OBLIGATION OF CONTRACTS. Is the arrangement consummated between agents of the last legislature and the city of Bismarck a contract in the meaning of this section? If it is, and if legislatures as well as individuals come in the constitutional prohibition, then none of us could break it if we would, and none of us would break it in violation of our oaths if we could. In the case of Mills vs. Williams, 11 ired, 105, Justice Pearson declares that while there are some grants conferred at the mere will of the legislature, and subject at all times to be modified or repealed, there are others which assume the nature of contracts and cannot be molested.

molested.

"The legislature," says the learned justice, "is not the only party interested, for nithough it has a public purpose to accomplish, it chooses to do it by the instrumentality of a second party. These two parties make a contract. The legislature, for and in consideration of certain labor and outlay of money, confers on the party of the second part certain powers and capacities. The expectation of benefit to the public is the moving consideration on one side; that of expected remuneration for the outlay on the other. It is a contract, and, therefore, cannot be modified, changed or amended without the conmodified, changed or amended without the con-sent of both parties."

The legislature of 1883 directed a commission to select a site for a capitol, and declared that in consideration of a large amount of money to be paid and land to be given, such a site should become the "permanent seat of gov-ernment." The wisdom of that law has been questioned, and it is not my duty to modify, to Bismarck was chosen; that it accepts the proposition made by authority of the legislature: chat it paid the money demanded and contri-buted the land required. There is no allegation, I believe, that the city has not complied with the spirit and letter of its agreement. If the contract were between individuals no one would question the binding force of the objection for a moment. Shall the rule be changed because one of the parties is a great territory with honor to defend and dignity to maintain? Such an in-terpretation, in the words of the judge above control would

SHOCK THE PUBLIC CONSCIENCE." "There is not one law for the sovereign and another for the subject," says Judge Allen (71 N. Y., 549); "but when the sovereign engages in business enterprises and contracts with individuals, the rights and obligations of the parties must be adjudged on the same principles as if both parties were private citizens. A state may repudiate its contracts. It may refuse to perform them; but its sovereign right to destroy or form them; but its sovereign right to destroy or impair them is limited by the federal constitution. It may refuse to respond in damages and leave a claimant without any remedy, as it may refuse to now it.

maths. No legislative fiat can destroy that."
(See Duncide vs. The State, 80 N. Y., 360.) The court says: "It has been settled so as to be beyond controversy that the constitutional provision which denies to a state power to pass laws impairing the obligation of contracts applies to all laws passed within its limits, contracts made by the state as well as contracts made by individuals. The soverion can contract and here. laws passed within its limits, contracts made by the state as well as contracts made by individuals. The sovereign can contract and has many occasions to do so. It must be governed by the same rules of common honesty which bind individuals. It is true that as a rule the legislature is sovereign and may modify or abolish the act of its predecessors, but this rule has a plain exception and this exception seems to be itself without an exception. "There is no mode," says the court in a case reported in 5th McClean, 161, "by which a legislative act can be made irrepealable except that it assume the form and substance of a contract;" and, commenting on this, Judge Cooley says: "Legislative acts are sometimes in substance contracts between the state and the party who is to derive some right under them, and they are not the less under the protection of the constitution because of having assumed that form." (See Work on Constitutional Limitations, 126.) The books seem to be full of such cases, but Judge Cooley has laid down a principle in his great work on the constitution which

principle in his great work on the constitution which

SEEMS TO COVER THE MEASURE
under consideration, entirely and completely. Says the great commentator, section 1,374, Story on the Constitution: "It has been made a question whether it (the constitutional prohibition) applies to contracts and grants created directly by law or made by some authorized agent in pursuance of law. It has been suggested that in such cases it is to be deemed an act of the legislative power, and that all laws are repealed by the same authority that enacted them. But it has been decided upon solemn agreement that contracts or grants made by a state are not less within the reach of the prohibition than contracts and grants of private persons. The legislature may make a contract with individuals by law, and when it is accepted it is equally under the protection of the constitution; and it may be laid down as a general principle that whenever a law is in its own nature a contract, and absolute rights have vested under it, a repeal of that law cannot divest those rights or annihilate or impair the title so acquired. No court or justice in this country," continues Judge Storey, "would be warranted in assuming that any state legislature possessed the power to violate and disregard such a contract, so that such a power, so repugnant to the common principles of justice and civil liberty, lurked under any grant or ought to be implied from any general expression of the will of the people." (See also sections 1339, 1385, 1393, 1394 and 1395.) In my mind there is no doubt but that this bill plainly violates the constitution we have sworn to support. The rule may be a hard one in some cases and under some circumstances, but we did not make it and we did not enact the law which makes it and we did not enact the law which makes its application necessary. Our only duty is to take the case as we find it and act with a solemn regard for our oath. But it may be asked, has the territory no power to

CHANGE THE LOCATION OF ITS CAPITAL?

Undoubtedly. There

for our oath. But it may be asked, has the territory no power to
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Undoubtedly. There are certainly ways by which a state can resume its sovereignty, it being in the interest of public policy that this should be done; but it must do justice before it asks instice. There is another phase of the question which seems important to be considered. It greatly adds to the difficulties surrounding this bill. The act provides that the property shall be disposed of, the indebtedness paid, and the remaining proceeds distributed among those who have contributed to the erection of the capitol building. I understand that the land on which the capitol was built was deeded to the territory by the Northern Pacific Railroad company for capitol purposes only; that a condition of the grant is that it shall be devoted solely to such purposes, or, failing to be so used, shall revert to the granter. This being so, the provision for distribution is of no avail, for there will be nothing to distribute. The building, being part of the realty, passes with the ground, and the result of this law would be to enrich this corporation which gave the land, while the men of small means who were induced to subscribe to the fund, and some of whom still owe a large proportion of their subscription, must absolutely lose everything. In the same way the provision regarding the payment of debts contracted by the commission is idle, because there will be no assets out of which these claims can be liquidated. I am sure the legislature does not desire to place the parties who have had no lot or part in this unfortunate conflict at such a disadvantage. It seems to me, apart from other considerations, that this agritation is unwise and untimely. Its inevitable result will be to plunge the territory into renewed and distracting litigation, of which the people are tired and weary. If I rightly interpret their wishes, they are saying to us: "Let us have fair laws wherever they are enacted; let us have an honest government wher

BISMARCE, Dak., Special Telegram, March 10.—As everybody expected, the house sustained the governor's veto of the capital removal bill. After an animated debate, the vote

The vote stood 20 to 26 in favor of passing over the veto. The vote was: Ayes -Barnes, Bayard, Blakemore, Dawson,

Gregg, Helvig, Larson, Myron, Miller, Martin, McCall, Parshall, Pickler, Riddell, Southwick, Swanton, Smith, Sprague, Van Osdel, J. P.

Swanton, Smith, Sprague, van Osuer, S. Z. Ward.

Noes.—Clark, Coc, Dewoody, Eldridge, Huntington, Huston, Hobart, Hutchinson, Johnson, Langan, McCumber, Morgan, McHugh, Oliver, Pugh, Runkle, Roach, Steele, Stevens, Stebbins, Scott, Stewart, Strong, Williams, Mark Ward, Speaker Rice.

The council committee reported recom-

The council committee reported recommending that the council recede from the amendment to Pickler's woman suffrage bill. submitting the question to a vote of the peo ple in November. The report was adopted, and the bill passed by a vote of 14 to 10. As the bill now stands unlimited suffrage is granted to women. What Gov. Pierce's exact views on the subject are is not known, but inasmuch as he told Pickler recently that he should bring cold, hard facts to bear in his consideration it is quite generally believed that he will veto the measure. The governor returned to the house to-day with his veto the bill appropriating \$15,000 for the Central Dakota university at Ordway.

returned to the house to-day with his veto the bill appropriating \$15.000 for the Central Dakota university at Ordway.

BILLS INTRODUCED IN THE COUNCIL.

By Mr. Wells, amending chap. 45, laws of 1983, empowering school townships to issue bonds to build school houses. By Mr. Nickens, providing for the incorporation and regulation of building and loan associations; also, amending chap. 27, laws of 1879, relating to judicial subdivisions. By Mr. Twomey, amending the city charter of Ashton.

House bills passed by the council:

Regulating the sale and prohibiting the smoking of opium; providing for the pay of the pages of the house; incorporating the village of Woonsocket; incorporating the village of Frankfort; amending sec. 17, chap. 28, Political Code, relating to listing taxable property; amending a special act of 1893, so as to allow Kidder county to buy or lease a county building; allowing McPherson county to fund indebtedness; authorizing Walsh county to buy a poor farm of not more than 200 acres; authorizing Cavalier county to fund indebtedness; allowing Andover School Township No. 9, Day county, to issue \$3,000 bonds to build a school house; requiring bankers to make quarterly reports, verified and recorded; legalizing the election for issuing bonds in Badger school township, Towner county; authorizing Montrose and Grant school townships, McCook county, to fund indebtedness; amending the act establishing independent School District No. 1, Turner county; establishing independent School District No. 1, Turner county; establishing independent school district in Walcott, Richland county; changing the boundaries of Crystal and Park townships, Pembina county; amending the charter of the city of Lisbon; amending the village charter of Valley Springs relating to licenses; establishing a fence law in the Black Hills and Bad Lands counties: defining the boundaries of Oliver and Mercer counties; legalizing the organization and acts of New Salem township, Morton county; funding the debts of Fort Ransom school township,

chap. 28, political code, interest placed at 12 per cent; incorporating Salem, McCook county; amending the village charter of Flandreau; establishing an independent school district in Flandreau.

House bills passed;
Continue Britanneau, an independent school

House bills passed:

Creating Bridgewater an independent school district of Richiand county; establishing a board of education at Alexandria, Hanson county; vazating certain portions of the town of Sterling, Burleigh county; regulating caucuses and primary meetings; creating Sargent county a suldivision of the Third judicial district; providing for county commissioners in Richiand, Faulk, Hyde and Sargent counties; creating the office of county auditor in Brown, Grant, Day, Deuel and other counties.

Bills introduced in the house:

By Mr. McHugh, amending the charter of the village of Monro, Walsh county. By Mr. Blakemore, providing for an educational society in Hyde county. By Mr. Huntington, authorizing district No. 52, Deuel county, to issue bonds to build a school house. By Mr. Oliver, amending section 1752, civil code.

It is NOTHING NEW.

HURON, Dak., Special Telegram, March 10.—The Bismarck investigation don't make much talk here. It is beyond dispute that in 1882, when the capitol commission was receiving offers for its location, all but one of the ning

talk here. It is beyond dispute that in 1882, when the capitol commission was receiving offers for its location, all but one of the nine towns that put in bids also held out pecuniary inducements to the commissioners to locate the capitol in their town. It is no secret in South Dakota that money and lands have been posted to buy votes for the capitol removal this winter.

The prohibition bill passed by a vote of 20 to 7, as follows:

Ayes—Barnes, Dewoody, Helvig, Larson, Martin, Parshall, Steele, Smith, Ward of Turner, Clark, Huston, Hutchinson, Myron, McCall, Pickler, Southwick, Sprague, Williams, Dawson, Hobart, Johnson, Miller, McCumber, Riddell, Swanton, Stebbins.

Nays—Gregg, Stevens, Vanosdel, Morgan, Scott, McHugh, Stewart.

Not Voting—Bayard, Blakemore, Coe, Eldridge, Huntington, Langan, Oliver, Roach, Ruger, Strong, Mark Ward and Speaker Rice.

J. W. Raymond, the newly appointed territorial treasurer, entered upon his duties today, receiving from his predecessor in office,

J. W. Raymond, the newly appointed territorial treasurer, entered upon his duties today, receiving from his predecessor in office, A. H. McVay, \$238.004.43, the balance in the treasury. Mr. McVay held the office for six years, during which time he has been a faithful officer, and has made many friends. He goes at once to Yankton, where he has extensive banking interests. E. W. Caldwell, auditor-elect, returned to-try from Sioux Falls, where he has been for several days past arranging his affairs preparatory to taking up his residence at Bismarck. He will enter upon the duties of his office this week. O. H. Holt, Gov. Pierce's private secretary, will be Mr. Caldwell's deputy. Fourteen enrolling clerks are kept busily engaged in the committee rooms in order to keep up with the work. Gov. Pierce's duties are exceedingly onerous, the bills coming to him for reading and approval being legion. As but three days are allowed by the statute for his consideration, it is probable that several bills will die in the governor's hands, among which may be Pickler's woman suffrage bill. House bills passed the council:

Amending the railroad commission act by striking out the maximum clause; creating an independent school district in Harrison, Douglass county; authorizing Union school township, Edmunds county, to issue \$1,200 bonds; anaending the act of 1881 authorizing Kingsbury county to issue bonds to build a court house; providing for three annual terms of the supreme court, at Bismarck in February, at Yankton in May and Deadwood in October; amending the drainage haw of 1883.

Council bills passed the house.

court, at Bismarck in February, at Yankton in May and Deadwood in October; amending the drainage law of 1883.
Council bills bassed the house.
Providing for taking a census of the territory in 1886; establishing an independent school district in Springfield
Congress passed the bill dividing Dakota into twenty-four council districts. The present number is twelve, the number of councilmen from each district being two, and the number of representatives four. Hereafter there will be one councilman and two representatives from each district. The joint committee on apportionment was in session to-night and will report to-morrow. North Dakota will be allowed nine districts, South Dakota ten districts. The North Dakota are as follows: Sixteenth, Richland, Ransom, Sargent, Dickey, McIntosh; Seventeenth, Cass; Eighteenth, Statisman, Foster, Nelson, Benson, Desmet, McHenry, Wells; Twentieth, Burleigh, Kidder, Sheridan, McLean, Stevens, Wynn, Renville, Montraille, Flannery, Buford, Allred, Wallace, McKenzie, Dunn, Williams, Mercer, Morton, Stark, Billings, Villard, Bowman, Hettinger, Emmons, Cambell, Wallworth; Twenty-first, Twenty-first, Twenty-first, Twenty-first, Twenty-first, Twenty-first, Twenty-first, Traill, Stocle, Griggs; Twenty-second, Grand Forks; Twenty-hird, Walsh, Blaine, Rumsey; Twenty-fourth, Pembina, Garfield, Cavaillier, Towner, Rolette, Bottineau, Apportament of South Dakota: First district, Union, Clay, Lincoln; Second, Yankton, Furner; Third, Bon Homme, Hutchinson, Douglass; Fourth, Aurora, Charles Mix, Brule, Burlalo, Fifth, Davidson, Hanson, Banborn, Jerusle; Sixth, Minnehaha, McCook; Seventh, McOoky, Lake, Minner; Eighth, Brookings, Kingsbury, Handlio, Douel; Ninth, Clark, Codington, Grant, Roberts; Tenth, Beadle, Hand; Eleventh, Spink, Fanik; Tweltith, Hyde, Hughes, Sully, Petter, Walworth; Thirteenth, Day, Brown, Edmunds, McPherson, Campbell; Fourteenth, Lawrence, Butte, and all the country lying west

fight for representation. It finally passed, and is as follows:
District No. 1. The counties of Union, Clay and Lincoln shall constitute the First council and representative district and Union county shall be senior the county.
District 2. The counties of Yankton and Turner shall constitute the Second council and representative district and Yankton county shall be the senior county.
District 3. The counties of Bon Homme, Hutchinson, Douglas and Charles Mix shall constitute the Third council and representative district and Bon Homme county shall be the senior county.

the Third council and representative district and Bon Homme county shall be the senior county.

District 4. The counties of Minnehala, Mc-Cock and Hanson shall constitute the Fourth council and representative district and the county of Minnehala shall be the senior county. This district shall be allowed three representatives District 5. The counties of Aurora and Brule

District 5. The counties of Aurora and Brule shall constitute the Fourth council and representative district and Davison county shall be the senior county.

District 6. The counties of Moody, Lake, and Miner shall constitute the Sixth council and representative district and Moody county shall be the senior county.

District 7. The counties of Brookings, Kingsbury, Hamlin and Deuel shall constitute the Seventh council and representative district and Brookings county shall be the senior county.

District 8. The counties of Beadle, Sanborn and Jerauld shall constitute the Eighth council and representative district and Beadle county shall be the senior county.

District 9. The counties of Spink and Clark shall constitute the Ninth council and representative district and Spink county shall be the

tative district and Spink county shall be the

tative district and Spink county shall be the senior county.
District 10. The counties of Hand, Faulk, Walworth, Potter and Campbell shall constitute the Tenth council and representative district and Hand county shall be the senior county.
District 11. The counties of Hvde, Hughes and Buffalo shall constitute the Eleventh council and representative district and Hughes county shall be the senior county.

District 12. The counties of Codington Grant.

Roberts and Day snail constitute the Tweit's council and representative district and Grant county shall be the senior county.

District 13. The counties of Marshall Brown, Edmunds and McPherson shall constitute the Thirteenth council and representative district and Brown county shall be the senior county.

District 14.—The counties of Fall River, Custer, Pennington, Lawrence and Butte, and all the country lying west of the Missouri river and south of the forty-sixth parallel not included in the above-named counties shall constitute the Fourteenth council and representative district, and shall be entitled to elect two councilmen and three representatives, and Lawrence county shall be senior county.

District 15.—The counties of Dickey, Sargent, Richland and McIntosh shall constitute the Fitteenth council and representative district, and Richland county shall be the senior county.

District 16.—The counties of Cass shall constitute the Sixteenth council and representative district.

District 17.—The counties of Ransom, Lagert 18. District 17.—The counties of Ransom, Lagert 19. District 18.—The counties of Ransom, Lagert 19. District 19.—The counties of Ransom Lagert 19

District 16.—The county of Cass shall constitute the Sixteenth council and representative district.

District 17.—The counties of Runsom, La Moure, Logan and Barnes shall constitute the Seventeenth council and representative district, and Barnes county shall be the senior county.

District 18.—The counties of Traill, Steele and Griggs shall constitute the Eighteenth council and representative district, and Traill coonty shall be the senior county of Grand Forks shall constitute the Nineteenth council and representative district.

District 20. The counties of Walsh, Blaine and Ramsey shall constitute the Twentieth council and representative district.

District 21. The counties of Pembina, Cavileer, Tower, Rolette and Bottineau shall constitute the Twenty-first council and representative district, and Valsh county shall be the senior county.

District 21. The counties of Pembina, Cavileer, Tower, Rolette and Bottineau shall constitute the Twenty-first council and representative district, and Pembina county shall be the senior county.

tive district, and Pembina county shall be the senior county.

District 22. The counties of Stutsman, Foster, Nelson, Wells, Benton, De Smet Stauton and McHenry shall constitute the Twenty-second council and representative district, and Stutsman county shall be the senior county.

District 23. The counties of Emmons, Kidder, Burleigh, Sheridan, McLean, Morton, Mercer, Stark, Hettinger, Boseman, Bowman, Villard, Billings, Williams, Dunn, McKenzle, Wallace, Allard, Oliver, Garfield, Wood, Buford, Flannery, Mountraille, Renville, Wynn and Stevens shall constitute the Twenty-third council and representative district, and Burleigh county shall be the senior county.

Section 24. Each district, unless otherwise provided, shall be entitled to one member of the council and two members of the house.

Sec. 25. All acts or parts of acts in conflict with this act are hereby repealed.

Sec. 25. All acts or parts of acts in conflict with this act are hereby repealed.

Sec. 26. This act shall take effect and be in force and effect from and after its passage and

SAVED THE GOVERNOR TROUBLE The council saved the governor another veto to-day by indefinitely postponing the house bill establishing a normal school at Groton. Contrary to expectation the governor failed to send to the council nomination of the council nomination of the council nomination. tions for railroad commissioners. They will go in to-morrow along with numerous oth-ers. House bills passed by the council:

go in to-morrow along with numerous others. House bills passed by the council:

Providing a school board for the city of Lisbon, Ransom county; establishing an independent school district in Bridgewater, McCook county; joint resolution to provide for printing and binding the journals of the council and house; amending sec. 107, code of civil procedure; authorizing Stark county to issue \$25,000 bonds to crect a court house and jail; establishing Plankinton school district, Auroracounty; legalizing an irregular tax levy in Andever school township, Day county; making Sargent county a judicial subdivision; incorporating the town of Bridgewater, McCook county; providing for the collection and compilation of agricultural and other statistics of the territory; providing for struck juries; creating the board of education of the city of Alexandria; vacating Dakota Park in the town of Sterling, Burleigh county; wacating Cherry street in Menno, Hutchinson county; incorporating the city of Alexandria; providing that west of the Missouri in North Dakota four townships may be united in a civil township; vacating certain parts of additions to Mandan south of the railroad; creating Brightwood Independent School District No. 1, Richland county; authorizing School District No. 52 to issue \$3,000 for building a school house; amending the Syssion Laws of 1879 relating to the town of Bridges; for regulating caucuses or primary meeting, making it a misdismeanor in a person not a qualified elector to participate in such caucus or meeting.

COUNCIL BILLS PASSED BY THE HOUSE.

Appropriating funds to pay for fuel used in heating the capitol building; allowing the board of supervisors of townships to issue bonds; creating joint school townships in the counties of Griggs and Steele; amending sees. 402 and 515, civil code; vacating North Tyndall, Bon Homme county; creating Ramsey and Towner counties a new subdivision of the Third judicial district: amending sec. 101, code of civil procedure; fixing the fees of sheriffs and deputies; trausporting insane persons to the asylum and convicts to the penitentiary; authorizing the formation of county mutual insurance companies; authorizing Lawrence county to issue bonds to purchase a location and erect a jail; authorizing a special election in Steele county; creating the office of auditor of the counties of Spink, Stutsman, Barnes, Morton, Burleich, Nelson, Brookings and Miner; fixing fees for transporting convicts to the penitentiary; attaching certain townships to McHenry county; repealing sec. 3, chap. 11, Laws of 1883, and reviving sec. 378, code of civil procedure; amending the act creating the office of district attorney; establishing superingen. COUNCIL BILLS PASSED BY THE HOUSE. Spink, Faulk; Twelfth, Hyde, Hughes, Sully, Petter, Walworth; Thirteenth, Day, Brown, Edmunds, McPherson, Campbell; Fourteenth and Fifteenth, Fall River, Custer, Pennington, Lawrence, Butte, and all the country lying west of the Missouri river and south of the forty-sixth parallel. The above is subject to the action of the legislature.

BISMARCE, Special Telegram, March 12.—Both houses were kept busy to-day in an attempt to clear the tables of accumulated work. The council succeeded, and adjourned about 5 o'clock, but the house spent fully half of the day in committee of the whole, quarreling over numerous measures. Consequently an evening session was necessary. Among the measures considered by the house in committee of the whole was Mr. Barnes' bill amending the present law levying a tax of 3 per cent on gross earnings of railroads so as to include all lands owned by companies in taxable property. After a lengthy and heated discussion the bill was indefinitely postponed. The legislative district apportionment bill created considerable excitement, each delegation making a strong right for representation. It finally passed, and is as follows:

District No. 1. The counties of Union, Clay and Lincoln shall constitute the First council and representative district and Union county shall be senfor the county.

master of the council and cierk of the committee on counties; amending the act incorporating the village of Hillsboro; amending chap. 30, sec. 14, laws of 1877; supplementary to the McLean county bill requiring townships attached to McLean county to pay their proportion of the Burleigh county debt; appropriating funds to pay for fuel used to heat the capitol building; providing for the erection of a court house and jail in Brown county. in Brown county.

Court commenced at Huron, Judge Smith presiding. There are over 100 cases to be tried, including a couple of murder cases.

Hon. A. C. Mellette, formerly of the Muncie (Ind.) Times, has become editor of the Watertown News.

A colony of new settlers from Roumania, on the upper Danube, is on the way to locate in Foster county. They are the advance guard of a large immigra-

The president has revoked the order transferring the land office from Deadwood to Rapid City.

Citizens of Beaver Falls will form a company to build a hotel in the place of the Dakota house, burned recently.

Samuel Lackerby was arraigned at Milnor on a charge of embezzlement, preferred by A. M. Smith of Sioux City and discharged.