

THE COURIER,

PUBLISHED EVERY FRIDAY EVENING
By FRED K. H. ADAMS.

BISMARCK.

SATURDAY, FEB. 19.

Ward, of Sioux Falls, was appointed auditor yesterday. The council immediately confirmed him, and in less than half an hour he had given his bond and been sworn in. The governor did not intend to have any gigning or reconsidering. John D. Benton, sheriff of Cass county, has been appointed treasurer. It was supposed that Budd Beave would be treasurer. Capt. Griggs will be railroad commissioner from the north. Weiser's wheat bill was killed in the council, while Dr. Collins' voluminous measures hung fire in the same body. Mr. Weiser combined with the south on the Mitchell court deal which has not yet been determined in the hope to receive the solid vote of the south on his own measure. The combination, however did not work. The Elliott bill will be the only important railroad measure that will become a law. It had been tinkered and doctored until practically worthless, and in this condition was about to pass the house when it was referred to Adams, of Griggs, Fletcher, of Brown, and Sprague of Steele, who reported it yesterday. It will pass the house today without amendment. Many bills are being held back as clubs to force members in the round up for appropriation. The court bill providing a term of court for Griggs and Steele counties has been a law for some time. Term of court second Tuesday in June unless the judge shall designate some other time. The following is the text of the Elliott bill as amended by the select committee. The bill is much altered but is relieved from constitutional objections, and is thought to be practical and effective.

SUBSTITUTE FOR HOUSE BILL NO. 2.

Introduced by Mr. Elliott—as amended.

A bill for an act to amend an act 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."

Be it enacted by the Legislative Assembly of the Territory of Dakota:

Section 1. Section 8, of chapter 123, an act of the legislative assembly of the Territory of Dakota, approved March sixth (6), A. D. 1886, 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 freights and railroads in this territory," be and the same is hereby amended to read as follows:

(A) The said commissioners shall have power, and it is hereby made their duty in all cases, where they find on due investigation, that any freight or passenger rate charged by any railroad company or corporation is exorbitant, unjust or oppressive, to alter or lower the same and fix a maximum rate which shall be the rate to be thereafter charged by the said company. As soon as such rate is determined the commissioners shall make demand in writing upon the company or corporation whose rates are thus altered, through its president or general manager and local passenger or freight agent (as the case may be), for a compliance, or for damages to the party aggrieved for a failure to comply with the provisions of division of this section. In all cases where the company or corporation fails to comply with the conditions of such demand, and continue to charge rates in excess of those prescribed by the commissioners, or fails to pay the demands aforesaid, after the lapse of thirty days from such demand, then it shall be the duty of said commission to notify the attorney general and the district attorney in the county in which the party aggrieved resides, or does business, of such demand and such failure; whereupon said district attorney under direction of the attorney general, shall bring suit in the district court, in the name and at the expense of the territory and on relation of the party aggrieved, to enforce such demand or to recover damages for the party aggrieved.

(B) The said commissioners shall have power to require the attendance and testimony of witnesses, and the production of all books, papers, tariffs, contracts, agreements, and documents relating to any matter under investigation under the provision of this act, and may administer oaths in such investigation. They may invoke the aid of any court in the territory in requesting the attendance and testimony of witnesses, and the production of said books, papers, tariffs, contracts, agreements and documents, and the districts and justices' courts in this and territory shall be open at all times for such purpose; and any failure to obey the order of any court in an investigation concerning such matters may be punished as a contempt; and in addition thereto by a penalty of \$1,000, to be recovered in a civil action in the district court, prosecuted in the name of the territory by the attorney general, on relation of one of the said commissioners, and against the company or corporation whose employe or officer shall have failed to obey the order of the court, which penalty shall, upon recovery, be paid into the general school fund.

(C) No railroad company or corporation shall charge nor receive from any person a higher rate per ton per mile for one car load of freight than for a greater number of car loads per car.

Sec. 1. Nothing contained in this act shall be taken as in any manner abridging or controlling the rates for freight charged by any railroad company in this

territory for carrying freight from beyond the boundaries of the territory through the territory.

Sec. 3. That an act, to amend an act 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," approved March 13th, 1885, is hereby abrogated and repealed.

Sec. 4. This act shall take effect and be in force from and after its passage and approval.

The substitute for Elliott's railroad bill reported by the select committee passed the house Saturday evening as was prognosticated in my letter of Saturday morning. It did not pass without a struggle. Every effort was made to delay the bill, but at 6 p. m. it came up for final passage. Several members favorable to the bill were absent, and the opposition, after vainly trying to adjourn, took advantage of this fact to break a quorum headed by Aitkens and Williams. A call of the house was ordered and it was found that only twenty-three members were present. The sergeant-at-arms and other officers, armed with warrants were dispatched after the absconders. Some were on the roof of the capitol, some fled to Mandan, others took refuge in private houses. The call could not be dispensed with without twenty-five votes so it seemed possible that the friends of the bill would have to wait awhile for its passage. At 9:30 p. m., however, some deserters were brought in, the call raised, and a vote taken. Thirty members were present of which twenty-six voted for the bill and four against—so the bill passed. A motion to reconsider was made and the motion laid on the table, which prevents any recall of the bill. It was the liveliest time since the attempt to reorganize the house.

BISMARCK, Feb. 18.—Special to Pioneer Press.—In the council the house amendment to the council bill relating to the filing of papers in proceedings by attachment were concurred in and the bill passed. The tax bill then came up in committee of the whole, and most of the day while the council was not in committee of the whole was devoted to its consideration. When the session closed sixty-one sections had been considered. Mr. Dodge moved that when the council adjourns to-morrow it be to Wednesday next at 2 p. m., which motion prevailed and the council adjourned.

In the house the select committee to whom was referred Elliott's railroad commissioners bill reported it back amended so as to relieve it of the features which were claimed to be unconstitutional. It provides that the commissioners shall have power to take disagreements with railroads into the courts. Chairman Adams of the special committee, has prepared the new bill with great care, and its friends will endeavor to prevent any amendment.

Following council bills were passed: Relating to the incorporation of towns and cities; relating to the preparation, printing and filing of official bonds; to appropriate \$400 for payment for the use of tents for the territorial militia at Fargo.

The house then went into committee of the whole, Hobart in the chair, and took up Aikens' gross earnings bill. Mr. Aikens said:

If he should be in the legislature of Dakota for the next twenty years he would, at each recurring session strive to purge the statute books of this act. He argued that the law was unconstitutional and void, and that under its provisions the railroads paid only a fraction of the amount of taxes that they should pay, except the Northern Pacific, which he said two attorney generals had declared was not subject to taxation.

Mr. Mentzer followed, opposing the measure, and he was followed by Mr. Adams on the same side. The question being upon the indefinite postponement of the bill, the motion prevailed—aye 30, nays 18. The committee rose, and having reported to the house, Mr. Mentzer moved that the report be adopted. Carried. The house pleuro-pneumonia bill passed—30 to 4. Also, the house bill providing that reasonable notice when referring to notice for cars by shippers shall be construed as six days. Adjourned.

Can We Use Soap.

[Williamsport Record.]
An old Minneapolis subscriber who is at present in the soap business writes as follows:

"If you take pay in soap, I will pay all back dues and a year in advance; but if you can't use soap, I will have to pay for the Record to date and stop it."
(He takes us for a democrat.)

"Bless your dear soul, of course we can use soap; and if you will send it along we'll suspend rules and use it, even if we 'catch our death 'o cold' thereby. Our residence is on our homestead in the suburbs. Our proper and usual abiding spot is in a house. The house was built last fall; winter arrived before the scollops and other finishing touches were put on, and therefore in some places our mansion 'lets the howling blizzard in.' The mansion proper is connected with the winter retreat by a covered promenade, entrance to which is obtained through a trap door in the kitchen. The Record is printed in the retreat, part of the material being left up stairs, and the setting up of a line of display type necessitates the making of a journey to the upper realm. An inventory of the apartment shows: 1 wife, 1 army press, 1 kid, 1 Jim Crow job press, another kid, 1 case rack, etc. The walls, of course, are or pure Dakota soil, floor ditto. So that you see we really need the soap."

P. S.—There's an editor in Bismarck named Ots, one in Steele named Corwin, and one in Cooperstown named Valandigham. All belong to the party known as the Great Unwashed. Perhaps they'll want some of your soap, too.

CONDENSED NEWS.

The senate recently passed a bill in New York, granting women the right to vote in municipal elections.

About 400 persons were thrown out of employment, Monday, by the burning of a large business block, at Harverhill, Mass.

Thirty-seven persons were killed by a recent collier explosion, near London, England

The Billings, Montana, board of trade report a loss of forty per cent, of ranch cattle this winter.

NEWSPAPER CRANKS.

NEW ORLEANS, Feb. 21.—Emil Rivoria, manager, and Andrew L. Roman, editor of branch paper Treat 'd Union, left this morning for Jefferson Parish, where they met on the field of honor. Weapons used were ordinary dueling pistols; distance fifteen paces. After exchanging two shots each, without bloodshed, the seconds interposed, and hostilities ended. A misunderstanding regarding the management of the paper caused the duel.

BLACK MEN SHOT.

SAN FRANCISCO, Feb. 22.—Australian advice states fifty lives were lost by the recent floods at Brisbane, Queensland. An Auckland letter received from Kimberley, contains an account of a terrible slaughter of blacks in that district. A miner stole a young black, in retaliation the negro's parents killed the miner and wounded their two companions. The latter secured aid and pursued the blacks. Out of a band of forty blacks all but one were shot down.

All those who have not yet settled their accounts with us are requested to do so before the 1st of March, otherwise they may go out of our hands.

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For Sale.

House and lot with household furniture. Enquire of J. C. Yancey.

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Notice.

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Notes Due.

We have left for collection with Clark & Smart. All parties owing us are requested to come forth and settle same without delay, and save cost. Merrill Bros. & Luce.

Bread! Buns!! Bread!!!

Mrs. G. Newberry will keep constantly on hand at the postoffice bread and buns. Orders can be left at her residence or at the postoffice. A trial solicited. Cooperstown, Feb. 10, 1887.

Notice.

100 or 320 acres of No. 1 land for sale 2½ miles from Cooperstown, 200 acres cultivated and ready for crop. The farm has a good house, barn, granary, machine shed and other buildings, and two wells, 10 acres pasture and a complete outfit of machinery almost new. Good title which I will sell cheap for cash. Will give 1 to 5 years time on part. For particulars inquire of J. H. Montgomery, Box 52, Cooperstown, D. T.

Notice.

To whom it may concern: The bank of Cooperstown, Cooperstown, D. T. Stevens & Pickett, proprietors, having made an assignment to me, all parties holding valid claims against above bank, are requested to file such claims in writing with the undersigned, within six months from date. Claims not filed within given limit, will not be considered. THEO. DRAZ, Assignee. St. Paul, May 10, 1886.

BLACKSMITHING!

The Place for Blacksmithing

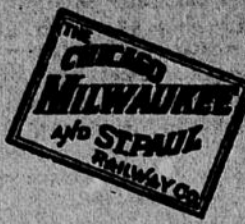
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