

SOUTH DAKOTA LEGISLATURE

Doings of a Day by the Assembled Solons at Pierre.

SENATE KILLS FELLOW SERVANT BILL

Tendency is Shown by Members of Both Houses to Carve Appropriation Bills—Governor's Message on Phillips Case.

PIERRE, S. D., Feb. 15.—(Special Telegram.)—In the senate this morning the fellow servant bill was finally killed by a vote of 23 to 15.

Bills were passed to require ballots to be preserved until the time for a contest had passed, to provide a deficiency for the expense for transportation of prisoners to the penitentiary and pay the sheriff for service in the unorganized county of Gregory. The principal bills introduced were:

By Tyler—Providing for the appointment of a veterinary surgeon and deputies.

By Bulow—Legalizing the bonds hereafter issued under the provisions of section 4, article xiii of the constitution.

By Stites—Providing for the dissolution of cities with less than 500 population.

The bill to prevent trespass on state lands was called up and Smith moved to amend so as to not apply to the free range country, which was lost. Henton moved to amend to strike out pasture, which was lost.

The motion for exemption on the free range country was reconsidered and passed by the presiding officer casting the deciding vote.

The senate passed a long list of bills and did not get in much time at discussion, the bills passed being: Providing for the publication of the reports of the railroad commission, of its inspectors, mine inspectors, board of pharmacy and board of public health; permitting counties by a popular vote to exempt \$100 worth of personal property from taxation; permitting cities to bond for 4 per cent of their valuation for the purpose of the erection of school buildings; extending the powers of city boards of equalization, giving them powers to issue summons and administer oaths, and a joint resolution instructing the members of congress to vote against seating a polygamist.

Governor Lee sent his message on the Phillips interest matter and in regard to the brand fees in the secretary's office. In regard to the interest matter he submitted Attorney General Phyle's opinion, together with his own views on the Colorado and Georgia Wisconsin cases as bearing on the Phillips case, holding that the attorney general placed a wrong construction upon the law and placed the responsibility for action upon the legislature, holding that when the legislature has acted in that direction to direct the attorney general to begin prosecutions rests with the representatives of the people. The message was sent to the judiciary committee without reading.

Consideration of the governor's nomination was postponed one week and consideration of the veto messages on the Normal school bills until Friday.

The senate passed the following house bills: Appropriating \$2,575 deficiency in the salaries of the Board of Charities and Correction; permitting mercantile fire insurance companies to take cyclone risks and issue policies for three years; permitting honorably discharged soldiers and sailors to attend state educational institutions free of charge; permitting taxes to be paid in two annual installments, March and September.

Work of the House.

In the house a petition was presented from residents of the Black Hills asking for the experimental farm and a resolution from the Board of Charities and Correction asking for an increased appropriation for the Yankton asylum on account of the fire at that institution.

The judiciary committee reported back the senate bill increasing the salaries of judges, with an amendment to raise the salary of the governor and supreme court judges to \$3,000 per year and to increase the salaries of circuit judges to \$2,000 per year in circuits containing over 45,000 people. This would increase the salaries of the circuit judges in the First, Second, Third and Fifth circuits and raise the salaries for other circuits as they now are. A minority report was against the passage of the bill.

The introduction of the minority report, opposed the introduction of the majority report.

The select committee which investigated the reform school presented a report of the condition of the present buildings and the manner of conducting the affairs of the school, but will not present a report on a new building until the architect and plumber accompany them to complete their estimates.

On motion of Holdrege the house decided to meet for the rest of the session at 10 o'clock each day. Bills introduced were:

By Baker—Making a cheater's lien on grain prior to all other claims.

By Bras—Making the state superintendent of instruction ex-officio clerk of the State Board of Regent of Education.

By Stoddard—To allow a copy to be used where the original bills introduced have been lost or stolen; requiring railroads to provide private crossings for farmers.

By Everett—Allowing the railroad commissioner to offer a reward of not more than \$500 for the apprehension of cattle thieves.

By Foley—To fix a minimum valuation of railroad property for assessment and taxation.

The rest of the afternoon was devoted to wrangling over different special appropriation bills.

The bill for a heating plant at the Deat and Dumb school was cut to \$2,500. After a struggle on the bill to appropriate \$25,000 for a building at the State university it was finally put over until Friday.

The appropriation asked by the Agricultural college was cut to \$7,500 for creamery building and \$12,000 for a drill hall. The appropriation for a dormitory and chapel, having been cut from the bill, called out the hottest fight of the afternoon, Glass fighting for the full appropriation asked, seconded by Woody and Cornwell. Dwight and Wilmarth made a fight for economy and finally won.

A new bill for a normal school at Aberdeen with an appropriation of 140,000 acres of land was introduced by Lawson in the senate this evening and a strong effort will be made to pass it through before action is taken on the veto message on the former bill.

The estimate of the plumber who inspected the work at the Reform School building will be submitted tomorrow and will be a favorable one.

RECORD OF DAKOTA'S GOVERNORS.

Several "Squatters" Survive, but None Since State's Admission.

PIERRE, S. D., Feb. 15.—(Special.)—A list of the ex-governors of Dakota as a territory state shows that while two of the "squatter governors" who held their offices before the organization of the territory in 1850, are yet living, the state has no living ex-governor.

The squatter governor list is: Henry Brooks, 1850, died in office; William M. Broderick, 1850, died in office; Louis K. Church, 1850-51, died in office; J. L. Pennington, 1851-52, died in office; George H. Hand, 1852-53, died in office; George H. Hand, 1853-54, died in office; Arthur C. Mellette, 1854-55, died in office; Charles H. Sheldon, 1855-56, died in office; Andrew E. Lee, 1856-57, died in office.

Governor Lee has received a draft from the government in aid of the Soldiers' Home to the amount of \$7,235. This is a larger sum than is usually received quarterly for the home from that source.

SHEEP NOT IN GOOD CONDITION.

Weakened by Excessive Cold They Are Victims for Spring Storms.

CASPER, Wyo., Feb. 15.—(Special.)—About 600,000 head of sheep are wintering in this country the present winter. The late storm has been the hardest in years in that the snow is staying on the ground instead of blowing off as in the past. This season the snow has crusted and remains on the range. So far there has been no serious losses, but the sheep are in a much poorer shape for the spring storms than last season, and there is no doubt but that many of them will die in the spring. The latest storm has put sheep in such shape that they cannot stand the amount of hard weather they did last year. All kinds of stories are afloat as to the sheep being wintered in the Big Horn basin. There is no doubt but that the snow is causing a great deal of trouble in the basin among the sheepmen and that there will be considerable loss in that section. The biggest loss reported in this county is 100 head on a bed ground in the Salt creek country. The snow between Deranah and the head of Klutz creek is said to be four feet on the level, but no sheep are wintered in that section.

Cutting Affray at Fort Pierre.

PIERRE, S. D., Feb. 15.—(Special Telegram.)—A cutting affray occurred in a back at Fort Pierre this evening. Ray Payne, a gambler, came off with a severe wound. Payne, another occupant, for some reason and attempted to slash his throat, making a long cut, barely missing the jugular vein. Payne jumped from the back and escaped. It is thought the wound will be fatal.

Cold Weather Breaks.

KIMBALL, S. D., Feb. 15.—(Special.)—The weather Monday was in marked contrast to the bitterly cold weather of the three weeks previous. Saturday night the northwest wind changed to the southeast and yesterday the thermometer indicated 32 degrees above, the snow on the ground melting considerably.

What is commonly known as heart disease is frequently an aggravated form of dyspepsia. Like all other diseases resulting from indigestion, it can be cured by Kodol Dyspepsia Cure. It cures the worst forms of dyspepsia. It digests what you eat.

Seek a Pardon.

PIERRE, S. D., Feb. 15.—(Special Telegram.)—Hon. John L. Jolley of Elk Point was here today to appear before the Board of Pardoners for a pardon for Marlon Walmsley, who is in the penitentiary on a charge of manslaughter. The sentence does not end until January of next year and a pardon is desired now.

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