

SIXTEENTH YEAR

BISMARCK, NORTH DAKOTA, FRIDAY, AUGUST 16, 1889.

PRICE FIVE CENTS.

## JUDGE TERRY'S EXIT.

United States Marshal David Nagle Shoots Him Through the Heart.

Sarah Althea Again a Widow—The Slayer of Broderick Passes in His Checks.

Sullivan and Fitzpatrick Indicted—The White Chapel Slayer Still a Myth.

### Judge Terry Killed.

LATHROP, Cal., Aug. 14.—Upon the arrival of the Southern overland train arriving at 7:30 this morning, United States Supreme Judge Stephen J. Field and Deputy United States Marshal David Nagle walked into the depot dining room for breakfast, and sat down side by side. Soon after Judge David Terry and wife came in also. They were proceeding to another table when Mrs. Terry evidently recognizing Justice Field, did not sit down, but returned to the train for an unknown purpose. Before she reached it, however, and as soon as she left the dining room, Judge Terry approached Justice Field, and stooping over him, slapped his face. At this juncture Deputy Marshal Nagle arose from his seat and shot Judge Terry through the heart. As he was falling Nagle shot again, but missed him, the bullet going through the floor. Both shots were fired in very quick succession. The judge never uttered a word after being shot. He had hardly fallen when Mrs. Terry rushed to the side of his body and threw herself upon it. Then ensued a scene of the wildest excitement. People rushed from the dining room and others rushed in. During this time Justice Field and Deputy Marshal Nagle retreated to the sleeping car where they were securely locked within. At times Mrs. Terry would call upon the citizens to arrest them before the train pulled out. A constable entered the sleeper, and was carried away on board. He informed the spectators that he knew his duty and would perform it. During the time the train was standing at the depot Mrs. Terry was running about wildly, demanding admittance that she might slap Judge Field's face, and begging that they might be detained and have their examination here. Previous to the entrance of the constable into the sleeper, Sheriff Purvis and deputy, of Stanislaus county, had already taken charge of Deputy United States Marshal Nagle. After the shooting Deputy United States Marshal Nagle backed up against the wall of the dining room and warned every one not to arrest him, saying he was a United States officer in the discharge of his duty. There was no semblance of an attempt to molest him at any time. Constable Walker took Deputy Nagle from the train at Tracy, and proceeded with him to Stockton, where he is now in jail. District Attorney White ordered the arrest of Justice Field upon his arrival in San Francisco, and telegraphed the order to the sheriff of San Francisco.

### Judge Terry's History.

SAN FRANCISCO, Aug. 14.—The announcement that Judge David S. Terry had been shot and killed in a railroad depot at Lathrop, Cal., this morning as a result to provoke a personal altercation with Justice Stephen Field, of the United States supreme court, caused extraordinary excitement in this city. The scene of the tragedy is eighty-three miles from this city by rail, at a breakfast station on the overland route. The possibility of an encounter between Terry and Justice Field has been recognized ever since the imprisonment of Terry for contempt of court, ten months ago, owing to the known temper of the man, who killed United States Senator Broderick in the early days of California. David S. Terry was at one time chief justice of the supreme court of California and has always been a prominent figure in political life in the state. The killing of Broderick caused at the time a deep personal resentment against Terry among a portion of the people of the state, which threatened to terminate his career in California, but he always had a number of adherents and friends in the state, though he has only once or twice been before the people for a position. He was married to Sarah Althea Hill, who claimed to be the wife of ex-Senator Sharon while presenting her claim against the Sharon estate. This brought them into a resentful attitude toward Justice Field, who last year rendered a decision in the United States circuit court in this city, denying her claim to be the wife of Sharon. Mrs. Terry created a scene in court during the reading of the decision, charging Justice Field with being corrupt, and as she refused to

remain quiet, Justice Field directed that she be removed from the court. When the deputy attempted to carry out the order of the court she became involved in a personal quarrel with that official, and Judge Terry interfered, drawing a dagger from his vest. He was disarmed, and both Terry and his wife were adjudge in contempt and committed to jail. In the meantime Justice Field went to Washington to resume his duties on the bench, returning to this city six weeks ago. Newspaper articles were printed intimating that it would be dangerous for Justice Field and Judge Terry to meet personally, as it was thought the latter might insult the former, while the fact was also recognized that Justice Field would be quick to resent an attack from Terry, knowing it could only result fatally to one or the other, in view of the latter's record. If Judge Terry had intended to provoke Justice Field and draw a weapon before the latter could turn, is of course not known, as Deputy Nagle, who sat opposite, prevented this by firing, resulting in the instant death of Terry. Chief of Police Crowley received a dispatch from Sheriff Cunningham, of Stockton to arrest Judge Field and Deputy Marshal Nagle on the arrival of the train at Oakland. Captain Lees left for Oakland and will take them into custody unless they leave the train at some point along the road.

The Southern overland train arrived at the sixteenth street station in Oakland, shortly after 11 o'clock this morning. A great crowd had assembled, telegraphic intelligence of the Lathrop tragedy having preceded the arrival of the train, and the sleeping car in which Justice Field was sitting was at once besieged by United States officials and newspaper men. Justice Field maintained his quiet demeanor and replied to the press representative, who asked him to narrate the particulars of the shooting, as follows: "I can tell you the story in a few words. For the last few months all manner of reports, both public and personal, have reached me that Judge Terry had threatened to subject me to some form of indignity if he happened to meet me. This fact caused the United States marshal to decide to provide such protection as he could during my stay in this state. When I started for Los Angeles to hold court, Deputy Nagle accompanied me. He seemed to be a quiet, gentlemanly official, though I only met him twice while away from Los Angeles. He asked me in that city when I intended to return, and accompanied me, taking a seat in the sleeping car opposite to me. We heard this morning that Judge Terry and his wife were on the train, but paid no attention to the fact. When we arrived at Lathrop we entered the eating house station to get breakfast. I took a seat at the end of the table, while Nagle sat on one side of me. Terry and his wife came in the room soon after. As soon as she saw me she went out of the room, as I afterwards learned, returning to the car for her satchel. Judge Terry rose, and I supposed he intended accompanying her. Instead of doing so, he walked back of me and struck me a heavy slap in the face. I was completely astonished, and seeing he was making ready to strike again, Nagle cried out, 'stop!' but Terry did not desist, and as he was raising his arm the second time, Nagle shot at him, the bullet entering his heart. He fell to the floor, Nagle shooting a second time, but the second shot did not strike him. Deputy Nagle was arrested at Tracy and taken to Stockton to await the result of the inquest. That is a complete story so far as I am aware of the facts," said the justice in conclusion. Protection was accorded to Justice Field, it is claimed by authority of United States Attorney General Miller, who telegraphed from Washington to the marshal of the district to see that the person of the justice was protected at any hazard. An order was extended also to Judge Sawyer of the United States circuit court in this city, upon whom Mrs. Terry made a personal assault last year while on a railway train, accompanied by Judge Terry. The order was based on this fact, and upon threats declared to have been made openly by Terry against Justice Field. Deputy Marshal Nagle was directed to accompany Justice Field, under this order, and is said to have given Judge Terry full warning to stop when the latter began his attack upon Justice Field and fired at Terry as the latter was about to strike the second time. Justice Field left on the overland train at Oakland ferry and drove at once to the Palace hotel, where he was joined by his wife. He was not arrested, and the notice to the chief of police claimed to have been sent by the district attorney of San Jacinto, if forwarded in that form, was not carried out.

A passenger who was on the train at Lathrop says that when he heard the shooting he rushed out of the car and saw Mrs. Terry with a satchel in her hand. She was trying to open it, and he took it from her. She tried to gain possession of it again, but failed. When the satchel was opened after-

wards a pistol was found in it. David Nagle, the deputy United States marshal who killed Terry, is well known in this city. In the latter part of the seventies he went to Arizona, and in 1881 received the appointment as chief of police of Tombstone. While occupying that position he had frequent encounters with the criminal element, and by his behavior soon earned for himself the reputation of being a man of undisputed courage and bravery. He shot and killed a Mexican desperado in Tombstone, after a fierce encounter. Nagle was appointed deputy marshal here about a year ago, and when Terry made the assault on Marshal Franks, last September, Nagle disarmed him. Reports are circulated that Terry intended doing Justice Field injury when they met caused Nagle to be detailed to act as body guard to him, when he came to this coast a few months ago. Nagle is about 36 years of age, and has a wife and family in this city.

### Two Men Killed.

GRAND RAPIDS, Mich., Aug. 13.—Warrants were issued yesterday for Ansel Goch a farmer who owns a farm in Bowen township, Kent county, and his hired man, named Charles Bralley, for stealing twenty-five bushels of wheat from a neighboring farmer. Last evening Deputy Sheriff P. J. Sinclair and his brother, D. A. Sinclair, went to the farm to arrest the man. As they drove up to the house a shot was fired through the door from the inside, and D. A. Sinclair fell mortally wounded and afterwards died. Deputy Sheriff Sinclair returned fire, killing the hired man. Goch skipped and has not yet been captured. Particulars of the affair are meagre.

### Republican Clubs.

SARATOGA, Aug. 13.—The executive committee of the National League of Republican clubs met at Congress hall this afternoon. In the absence of Judge John M. Thurston, of Nebraska, president of the league, Vice President Jos. A. Blanchard, of New York, presided. A revision of the constitution was reported. The next national convention will be held in Tennessee on March 4, 1890. The question under discussion was the organization of clubs in the south.

### Ball Not Secured.

MINNEAPOLIS, Aug. 13.—J. Frank Colman, the alleged forger, was in the police court this morning, and his counsel, Hon. E. M. Wilson, stated that efforts of the defense to secure a week's adjournment having failed, his client would waive examination and leave the matter to the grand jury to decide. Wilson applied for a reduction in the amount of bail, and after hearing arguments, the court reduced the bail from \$110,000 to \$51,000, which was not obtained.

### Monmouth Park Races.

MONMOUTH PARK, Aug. 13.—The omnibus stakes, sweepstakes, \$2,500 each for three-year-olds, distance one and one-half miles, was run here this afternoon and won by Longstreet in 2:36 1/2 by two lengths. Proctor Knott was second and Salvator third. The value of stakes to the winner is in the neighborhood of \$24,000. The fame of the contest and the fact that the great western crack was billed to participate, attracted the largest attendance of the meeting. Good judges estimated that fully 12,000 people were present. The day was cloudy, the skies dark, and at times sprinkled. The track was fast as it is possible ever to get it. It was dusty on the turn and back stretch, but the quarter stretch was sprinkled. The great event was fourth on the card. It showered smartly just before and during the third race, but only enough to lay the dust on the track, and shortly before the bugle summoned the horses to start the sun shone brightly through rifts in the clouds. Longstreet was the first to show. He was followed by Salvator, Calump Proctor Knott, Eric and Lioness. Longstreet remained on the back stretch till they scored after one false start the flag fell to an elegant send off, in which Salvator was first away. Lioness, Longstreet, Calump and Buddhist were next and Proctor Knott was last. Lioness at once gained, and Buddhist, Salvator and Proctor Knott were several lengths ahead. Passing the stand Lioness was a length and a half before Buddhist, who was the same distance in front of Longstreet, who led Eric by a length. Salvator and Proctor Knott brought up the rear. On the lower turn Buddhist was at Lioness' shoulder and a length and a half before Longstreet; he was a length in front of Eric. Salvator and Knott were behind. As they rounded into the backstretch Buddhist took the lead two lengths before Longstreet. Lioness was third, but Salvator moved up to third place nearing the stables, and Proctor Knott kept him company. They ran in this way half a length apart until they swung into the home stretch. Then they began the tug of war in earnest. Neither whip, spur

nor voice was spared in the effort to gain the lead. At the last furlong Longstreet was a length before Salvator, who was two lengths in front of Buddhist, who had Proctor Knott at his collar. Now the fight was fast and furious. Proctor Knott began moving up, but to the dismay of his backers Longstreet began drawing away in front. "Why, Longstreet wins; nobody but Longstreet wins," was cried. It was true. A moment later he had clear daylight between himself and the next pursuer. A half second later he was by the judges' line, winner by two lengths; Proctor Knott, second, was a head before Salvator, third; Buddhist, Lioness, Eric and Calump rushed in in the order named. The time by fractions was 26 1/4, 51 1/4, 1:18 1/4, 1:44, and 2:36 1/2. The Victor was cheered again and again Sam Emery is said to have won \$25,000 on the latter's victory. Three-quarter mile—Bradford won in 1:14 1/4, Britannic second, Volunteer third. Three-quarter mile—Burlington won in 1:15 1/2, Lord Dalmeny second, Devotee third.

One-eighth mile—Blush won in 1:59, Niagara second, Connecia third. Seven furlongs—Royal won in 1:29 1/4, Banner bearer second, Grenadier third. Three-fourth mile—Heathen won in 1:17, Favorite second, Dulciss third.

### MOLTEN COONS.

A Religious Negro Crank Sends Three Believers to the Clouds.

BIRMINGHAM, Ala., Aug. 13.—The most remarkable religious craze has prevailed among the negroes near Bessemer and the country intermediate between that rapidly growing place and Birmingham. For some time past an old negro named Tobias Jackson has been proclaiming himself as Daniel the Prophet, and all kinds of singular and wild things. The darkies in this section are ignorant, and Jackson's actions and the great powers which he claimed to have been endowed with have awed the simple minded negroes. Saturday night he persuaded three young negro men that they were representative of Shadrick, Meshack and Abendego, the three children of Faith, who entered the fiery furnace of Nebuchadnezzar of old. He proclaimed that the furnace, where forms was the furnace of Nebuchadnezzar, and that they could enter it and pass through without the smell of fire. Three negroes, calling themselves the "Three Children of Israel," under the influence of their new prophet, entered the gate of the cupola of a furnace and rushed headlong before they could be stopped into the heat of the melting iron, when they failed to come out. Jackson, the prophet, proclaimed that he saw them rising in the air with the smoke of the furnace attended by angels, and said they would revisit the earth again next Sunday. The negroes propose to meet at the church next Sunday and pray, awaiting their return.

### An Important Case.

ST. PAUL, Aug. 13.—A Pioneer Press Duluth special says: In the habeas corpus proceedings brought to secure the release of Christian, Armour's local manager, who was arrested yesterday, owing to the interest in the case and its importance, both judges Stevens and Ensign sat in the case. After extended arguments on both sides, the court held that the law was plainly unconstitutional, infringing both on the right of interstate commerce and of trade, and ordered the release of Christian.

### Chief of Police Shot.

JACKSON, Tenn., Aug. 14.—About 1 this morning as Chief of Police Gaston was walking around the jail; he was fired by a negro, receiving ten buckshot in his face and chest. He will die. Several negroes were lying around the jail in the weeds and grass, supposing that a negro porter of the Arlington hotel, who is in jail for assisting a young white girl to elope, was to be lynched during the night. When discovered by Gaston, they fired on the police. No arrests have been made.

### Illegal Appointments.

WASHINGTON, Aug. 13.—A complaint has been filed with the civil service commission against Postmaster Ankeny at Minneapolis, charging him with making illegal appointments. The complaint is a formal one, and is accompanied by an affidavit in which the facts in several cases are regularly set out. The commission has, however, asked for further information.

### Death of a Noted Surgeon.

NEW YORK, Aug. 13.—Dr. Alexander Brown Mott, one of the most noted of American surgeons, and son of the famous surgeon, Valentine Mott, died at his country seat near Yonkers, yesterday morning of pneumonia, after an illness of two days.

### Sullivan Indicted.

PURVIS, Miss., Aug. 14.—Indictments have just been presented to the court against Sullivan and Fitzpatrick. It is understood that Kilrain and his friends have also been indicted. The grand jury is still in session.

## TELEGRAPHIC NEWS.

The Prize Fighters in Mississippi Are Skirmishing With Judges, Justices and Jurors.

The National League of Republican Clubs in Session at Saratoga, New York.

Interesting Races at Monmouth Park—Base Ball—A Fatal Boiler Explosion.

### Mississippi Justice.

PURVIS, Miss., Aug. 13.—A prominent Mississippi gentleman, with whom many residents have conversed in confidence, says that there is a general feeling in Marion county against doing anything with the accused prize fighter, whatever might be the feeling of the rest of the state. The grand jury had been discussing the matter of transferring the prize fight cases to a justice of the peace. The district attorney had opposed such an action and the grand jury was hesitating, with the probability that it would indict Sullivan and Kilrain and refer the other cases to the justice of the peace; or not return any indictment at all against the others. The grand jury adjourned about noon until 2 p. m., at which hour it reassembled. The court met again at 3:30, and the judge at once directed the sheriff to send for the grand jury. When they arrived he charged them that it was not in their power to change the case from his court to a justice of the peace; that his court only, had jurisdiction; that if they wished to transfer the cases they would be discharged; another grand jury was called. The changes creates excitement. Judge Calhoun, of the counsel for defense, asked the court to note exceptions in behalf of Sullivan.

### Base Ball—Tuesday.

St. Paul 3, St. Paul 3.  
Omaha 0, Minneapolis 1.  
Pittsburg 9, Boston 0.  
Chicago 3, Philadelphia 6.  
Cleveland 4, New York 13.  
Indianapolis 7, Washington 8.  
St. Louis 12, Columbus 3.  
Louisville 1, Baltimore 6.  
Kansas City 2, Brooklyn 3.  
Cincinnati 4, Athletic 10.

### Fatal Boiler Explosion.

LOUISVILLE, Ky., Aug. 13.—The boiler of Thomas Anderson & Co., stove factory, at Dawson, Ky., exploded about 7 o'clock yesterday morning. James Jackson was killed and six others seriously injured. Laton Menser and Dennis Purdy, who were wounded, have since died. The cause of explosion is unknown.

### The World's Fair for '92.

SPRINGFIELD, O., Aug. 13.—The secretary of state licensed to-day the World's fair for 1892 at Chicago for the holding of the industrial exposition of the World's fair, to commemorate the anniversary of the discovery of America.

### By an Unknown Hand.

LONDON, Aug. 14.—The coroner's jury in the case of Alice MacKenzie, the last person killed in White Chapel district, to-day returned a verdict that she was murdered by some unknown person.

### Endorsed by the Press.

The following extracts from Dakota newspapers should be read by the disappointed real estate boomers and townspeople speculators who are frothing at the mouth because they could not place the capital on wheels and sell their corner lots at the expense of the people. The plan of locating the public institutions and thus removing from legislative proceedings the source of endless jobbery, is endorsed by the taxpayers, and the efforts of defeated candidates for public institutions will have little weight. Here are some expressions of the press:

The Jamestown Alert's staff correspondent gives the following inside history: Ever since the opening of the session schemes for locating the capital have engaged the attention of the delegates. The capital question has been throughout the silent, powerful undercurrent of the convention. Three weeks ago a gentleman prominent in Dakota affairs and formerly a resident of Jamestown, stated it as his deliberate judgment that if it were not for the capital, the convention would adjourn as early as July 26. There were two strong combinations, first the Fargo-Bismarck union, second the Grand Forks aggregation. The first have two objects in view, to locate the capital permanently at Bismarck, and the agricultural college at Fargo. Backing up this combine were powerful railroad influences and in order to effect their object the friends of Fargo and Bismarck proceeded to obtain the necessary votes by distributing the various institutions, which the state will in course of time need to establish. The details of the distribution as finally made are already

known to our readers. It will thus be seen at a glance that the combine was a powerful one, both on account of the influence behind it and also for the reason that every public institution located added a delegate or two to the friends of the combination. So it was nursed and grew. On the other hand, the Grand Forks people proposed nothing except to leave the capital question to a vote in such a manner that Grand Forks would be sure to get the pot on the show down. They would do nothing for Jamestown or Fargo or Bismarck, "nothing for nobody." Consequently, nobody felt under obligations to them—to a great extent, Jamestown men went to them and asked for a fair show for Jamestown, but while a few would promise everything, the many failed to loom up at any caucus. They at first would not give Jamestown a chance even on a vote, wanting to confine the second vote for the two highest towns; then they got a little more scared and were ready—some of them—to open the second vote to the four highest; and summer it down at subsequent elections, till some town should have a majority of all the votes; which town would almost inevitably be Grand Forks. Only a part of the Grand Forks delegation would agree to twenty Jamestown votes for that. The friends of Jamestown up and down the valley all had Bismarck for second choice and would take no chances of the capital going to Grand Forks. Rather than to put in a vote, they preferred to leave it where it was—and is—and will be. But Jamestown must get something, she kept out of all combines until it was certain that Bismarck was a winner and then secured her full share of the swag. The provision at the close of the article that no other similar article shall be located, means the doubling and trebling of the insane asylum within a few years, to say nothing of the institution for the feeble minded, with its grant of twenty thousand acres of land. If all the insane asylums of the state of Minnesota should be clustered on the hills about Jamestown their inmates and employees would almost equal in numbers the white population of the city. The friends of Grand Forks claimed to be more pure and spotless than the Bismarckers, but it was noticed that when they were driven into the last ditch, they tried to do just what they were crying out against the other side of the river, namely to locate the capital permanently without a vote of the people.

Mitchell Republican: The Bismarck Tribune is advancing some stalwart arguments these days in favor of retaining the capital of North Dakota where it is. It would indeed be the height of folly for the taxpayers of the state to abandon the present capital plant, especially now that South Dakota has helped them to pay for it.

Devils Lake Capital: A telegram from O. Whipple to-day stated that the dead and dumb asylum is located at this point and 40,000 acres of land set aside for its support. The telegram was read in the republican convention this afternoon and brought forth vociferous cheers; also one from Mr. Lohnes was received later to the same effect, which was read.

General. FIRE in the picture frame moulding factory of M. W. Ellinger, Chicago, caused a loss of \$15,000.

DR. BAYLISS, editor of the Christian Advocate, of Cincinnati, died Thursday, at Bay View, Mich., aged 45 years.

The Burton building, at the corner of Clinton and Van Buren streets, Chicago which was gutted by fire some weeks ago, has collapsed.

JOHN W. HARDEE, for several years judge of probate of Towner county, has skipped the country. It is said that his liabilities by embezzlement, forgery and theft amount to \$15,000.

No action of any kind with reference to financial plans was taken at the meeting of the financial committee of the Northern Pacific Railroad company Wednesday, according to Chairman Harris of the executive committee.

The fight to a finish, Queensbury rules for a purse of \$800, between Charles Turner (colored) of Stockton, Cal., and Paddy Gorman, of Australia, was won by Turner at San Francisco, Wednesday night, after eighteen rounds.

The Minnesota and Dakota wheat crop keeps growing in size as the harvest progresses. The estimate has already jumped from 70,000,000 to 85,000,000 bushels, and we should not be surprised to see it reach 100,000,000 by the time the tale of the threshing machine is told.

St. Paul Dispatch: Let us put this query to our Grand Forks friends: If the capital were located at Grand Forks instead of Bismarck, is it absolutely certain that the latter community or some other would not raise also and protest against the shameless fraud and corruption that had been restored to produce that result.

The following special from Jamestown to the Pioneer Press was sent out to-night: A delegation of eleven well-known citizens arrived here to-night from Ellendale. They go to Bismarck in the morning to urge the convention to adopt a report of the committee locating public institutions. The people here are extremely anxious as information is reported to have been received to-day which indicates a probability of getting the temporary location of the capital here by the help of the Grand Forks delegates.

## TRAIN ROBBERY.

**The Deeds of The James Brothers Put to Shame by a Man in Wisconsin.**

**He Enters a Sleeper on the Wisconsin Central and Robs the Occupants.**

**After Seizing the Boodle He Rings the Bell, Stops the Train and Gets Off.**

### A Daring Robbery.

CHIPPWA FALLS, Aug. 8.—As the Wisconsin Central passenger pulled into Cadott at 4:20 this morning, a masked man boarded the train and with a revolver in his hand went through the Milwaukee sleeper, securing probably one hundred dollars in money. Several watches were also taken. Some say he was not masked. He first met the porter and made him give up his money, after which he robbed the conductor and started through the car. The porter had been driven through the car onto the platform, but when the robber's back was turned he slipped into one of the berths and tried to get a pistol from the occupant. He made two or three such attempts and was seen by the robber, who sent a bullet through his hat. The shot awoke the sleepers, and the robber rang the bell for the train to stop, and swung off as the train stopped. The authorities were called out and the sheriff with a posse were in pursuit in a short time, but the man had escaped. The robber was a small man and the description of him tallied with that of the man who robbed the Milwaukee & Northern at Ellis Junction some weeks ago. The railroad company has offered a reward of \$1,000 for the arrest of the man.

### Helena Still the Capital.

HELENA, Aug. 8.—The deadlock in the convention over the capital question was continued this morning without change. It is now apparent that the opposition to Helena from the west side delegations is earnest. "Anything to beat Helena" is their general cry. Amendments followed each other rapidly all morning. The following towns were voted on for the capital and defeated: Anaconda, Great Falls and Billings. Bozeman won on the last ballot of the morning, thirty-six to thirty-one, and a recess was taken until 2 o'clock. In the afternoon the capital question was resumed. After a heated debate Bozeman was defeated and Missoula was substituted by a vote of thirty-four to thirty-two. This was again amended by substituting Anaconda for Missoula, by a vote of thirty-six to thirty. A motion to strike out the provision relating to the location of the capital was then carried, and this leaves the capital at Helena for the present.

### PEARLS IN WISCONSIN.

Great Excitement in Albany, Wis., Over the Finding of Pearls in Clam Shells. MONROE, Wis., Aug. 8.—Great excitement prevails at Albany, this county, on the Sugar river, over the finding of pearls. They are found in clam shells between the membrane and the shell and are of all sizes from a pin's head to a large sized pea, and of all shades. Some have been sold for as high as \$75, and \$100 has been refused for others. Shipments estimated to be worth \$1,500 were made to Chicago last Monday. The excitement is so great that men, women and children are raking and dragging the river in search of clams.

P. J. Inspector For Washington District. WASHINGTON, Aug. 8.—J. D. King of Janesville, Wis., has been appointed post-office inspector in charge of the Washington district, which is composed of the District of Columbia and the states of Maryland, Virginia, North Carolina, West Virginia and Delaware. Mr. King, who succeeds Gen. L. G. Estes, was for twenty years employed in the Janesville postoffice, twelve of which he served as assistant postmaster. For the last eight years, with the exception of a few months, he has been employed as postoffice inspector, serving in the west, part of the time as inspector in charge of the Denver division. He was removed from office in June 1888.

### Pat. Killen Arrested.

SAN FRANCISCO, Aug. 8.—Pat. Killen, the pugilist, who is to fight Joe. McAuliffe in a few days, was arrested at the Variety theater last night while giving a sparring exhibition with Prof. Anderson of Chicago. Anderson, Madden, Pope, Gooding and several others were also arrested, but the party was released upon \$50 bail, and Capt. Short, who made the arrest, said his orders had come from the chief of police, and were caused by Killen offering to knock a man out in four rounds or forfeit \$100.

### Collum Arrested for Forgery.

MINNEAPOLIS, August 8.—The creditors of Blaisdell, whose name was forged by J. Frank Collum for over two hundred thousand dollars, claimed that the signatures are genuine and now propose to make him prove the forgery. It is known today that 112 notes are afloat in this city, some of which will go to protest and some will be lively. Collum was arrested late this afternoon in the office of Eustis Bros.

### The Flood in Japan.

SAN FRANCISCO, Aug. 8.—Japan Gazette, received by steamer Arabic: About one hundred persons were drowned, 12,000 houses washed away and about 2,500 acres of cultivated lands seriously damaged in four of the seven cantons which suffered most from overflowing of the river Chirugo in Ferkukoke by the recent heavy rains. Relief funds have been stated in various parts of the empire.

### The B. H. C. H. and E. Railway.

CHAMBERLAIN, Dak., Aug. 9.—The Black Hills, Chamberlain, Huron, & Dnith Railway company, has been organized here. Capital stock \$1,000,000. It is proposed to begin laying track as soon as the right of way is secured.

### From the Top of the Eiffel Tower.

PARIS, July 9.—Blondin, the well known rope walker, has wagered \$20,000 that he can walk on a cable from the top of the Eiffel tower to the central dome of the exhibition building in less than five minutes.

### Hungarian Miners on a Raid.

PITTSBURG, Aug. 9.—Private dispatches from the Connellsville coke region report a gang of 400 drunken Hungarian coke workers on a raid. They do not seem to understand that the strike was settled in

their favor, and this morning started out to close up the works in operation. They first marched to Moorwood and drove the men and then went to the Alice works where they also forced the men to quit work. They are still on the war path, and when last heard from were on the way to the Bessemer works. Considerable damage was done at Moorwood and Alice, but no one was seriously hurt.

### A MOB AT MOORWOOD.

SCOTTDALE, Pa., Aug. 9.—The Hungarians at Moorwood refused to go to work this morning because they did not understand the strike was settled. Hearing that the Alice and Bessemer works were running they formed a howling mob of about 500 and started for these plants. The men at the Alice mines were warned in time and fled. Upon reaching Tipple the mob tore the boards off and started the coal wagons down the slope to wreck them and block the entrance so no coal could be hoisted. They then went to Bessemer, and on the way met John M. Dayton, who was riding in a buggy. He tried to persuade them to stop and return to work, but the infuriated mob overturned his buggy and beat and cut him so badly that his life is despaired of. The Hungarians reached Bessemer and went to the house of an old man named Gilhooly to look for the mine boss. Failing to find him there, the old man was beaten and the windows of his house broken. A man named Love was also caught at the pit mouth and treated in the same manner. They next made a descent upon the store and after breaking the windows and doors carried off all the bread a bologna they could find on the premises. By this time Secretary Watchman arrived in company with Jos. Keegan, another of the leaders. Watchman addressed them and finally succeeded in making them understand that the strike was over, and in their favor. Operators and disinterested persons say that but for the opportune arrival of Mr. Watchman, the mob would not have left a vestige of the company's property standing, and much blood would have doubtless been spilled.

### THE PROSSER MOTOR

The Cause of the Failure of E. H. Davidson of St. Paul.

ST. PAUL, Aug. 9.—Col. J. Ham Davidson assigned last night. The liabilities are said to amount to \$100,000, and assets, consisting largely of St. Paul real estate, will realize more than that amount. The failure is due to the collapse of the Prosser motor, it having proved impossible to operate it.

### Brown Will Hang.

ST. PAUL, Aug. 9.—This morning Gov. Merriam put the official seal of death upon Thomas Brown, the Moorhead murderer. He will be hanged on the morning of September 20, before daybreak for the killing of Policeman Peter Foul. The death warrant was signed by Gov. Merriam this morning upon receipt of a certified copy of the proceedings in the case.

### A Hanging at Boulder.

HELENA, Mont., Aug. 9.—George Duncan Bryson was hanged at Boulder, Mont., today. The drop fell at 10:50 a. m., and he was pronounced dead in seven minutes, and was game to the last. Bryson was hanged for the murder of Annie Lindstrom, his mistress, near Helena, in September, 1888. She possessed a few hundred dollars which Bryson squandered, and then tried to kill her to get rid of her.

### The Riverside Mill Co. Attached.

PROVIDENCE, Aug. 9.—The Massachusetts Loan and Trust company placed an attachment for \$200,000 on the Riverside mill to-day. This makes \$812,000 of attachments on the property here. Nothing is known of the whereabouts of Brown, the treasurer.

### Elevator Burned.

EVANSVILLE, Ind., Aug. 9.—Elevator B, at Mount Vernon, Ind., owned by W. C. Fuhrer & Co., burned last night. The fire caught in the lower part and supposed to be from a hot box or spontaneous combustion. The loss is about \$45,000; 40,000 bushels of wheat was burned. It was fully insured.

### Devils Lake Happy.

DEVILS LAKE, Aug. 9.—[Special.] The work of the convention in locating the public institutions is well received here. As Devils Lake could not get the capital she is well pleased with the institution given her.

### The Coke Strike Ended.

EVERSON, Pa., Aug. 8.—The great coke strike is ended with a victory for the men at an advance of 12 per cent. This was brought about by a conference of labor leaders, which lasted all day, with the three largest coke firms. The cokers are generally well pleased and to-night there is rejoicing throughout this region.

### Keep Off the Reservation.

WASHINGTON, August 8.—Secretary Noble has requested the war department to take all necessary steps to keep intruders from the Sioux reservation. This action was taken in anticipation of the rush of settlers, now that the success of the Sioux commission is assured.

### Base Ball—Thursday.

Cleveland 7, Philadelphia 10. Pittsburgh 12, Washington 6. Indianapolis 14, New York 4. Kansas City 9, St. Louis 12. Louisville 3, Cincinnati 4. Athletics 5, Baltimore 6. Columbus 11, Brooklyn 12. Sioux City 5, Minneapolis 1. Omaha 11, Milwaukee 0.

### Base Ball—Friday.

Pittsburg 15, Washington 3. Chicago 9, Boston 0. St. Joseph 8, St. Paul 2. Louisville 8, Cincinnati 15. Kansas City 11, St. Louis 7.

### Base Ball—Saturday.

Cleveland 10, Philadelphia 5. Indianapolis 6, New York 9. Pittsburgh 1, Washington 2. Pittsburg 8, Washington 5. Chicago 7, Boston 9. St. Louis 4, Brooklyn 2. Louisville 9, Athletics 11. Cincinnati 20, Baltimore 0. Kansas City 6, Columbus 1. St. Joseph 3, St. Paul 6. Omaha 7, Milwaukee 6. Sioux City 5, Minneapolis 6.

### Base Ball—Monday.

Cincinnati 0, Baltimore 7. St. Louis 11, Brooklyn 0. Kansas City 10, Columbus 1. Louisville 3, Athletics 9. St. Joseph 5, Athletics 10. Indianapolis 4, Washington 8. Pittsburg 9, Boston 5. Chicago 9, Philadelphia 11. Cleveland 8, New York 4. Sioux City 5, St. Paul 8.

### Root Snowed Under.

VALLEY CITY, Aug. 10.—[Special.]—Herbert Root was snowed under in the primaries here to-night. Root is a candidate for congress. The opposing delegation favor Scott for attorney general.

## A NATURAL GAS MAIN

Bursts and Kills Two Men and Injures a Number of Others.

PITTSBURG, August 9.—This afternoon while a 30-inch natural gas main was being tested the dead cap on the end of the pipe blew out scattering debris in every direction. Several hundred workmen employed in the iron mills near by were just returning home and a number of them had stopped along the trench to watch the work. They were struck by debris and flying missiles. The pipe was braced with heavy timbers, and these were hurled into the crowd with terrific force. Investigation showed that two men had been killed outright and about fifteen others injured. The two that were killed were at once conveyed to their homes.

### Fargo All Right.

FARGO, Dak., Aug. 12.—[Special.]—The Fargo board of trade met this morning in general session and adopted the following unanimously:

WHEREAS, The members of the constitutional convention of North Dakota have about reached the end of their labors in executing the trust reposed in them by the sovereign people, who are about to assume the weighty and solemn responsibility of self government; and believing that the convention is entitled to an acknowledgment on all hands for their faithful and efficient services; therefore be it

Resolved, That the hearty and unanimous thanks of the board of trade of the city of Fargo be and hereby are tendered to the members of the constitutional convention for North Dakota now assembled, for the able, faithful and patriotic manner in which they have performed their arduous duties, and especially as to the wise, satisfactory and equitable manner of locating the public institutions, thereby substantially removing from the state legislation a public source of contention to say nothing of temptation to unjust and immoral combinations, prejudicial to the public welfare; be it further

Resolved, That the board take every proper measure to report and holding out the hands of our delegates in their efforts for the common comfort; and be it further

Resolved, That the thanks of this board are especially tendered to Messrs. Miller, Lowrey, Stearns of Fargo, and the other members of Cass county who acted with them.

At the opera house this evening a citizens meeting was held. The mayor presided and Captain Burke was secretary. Some thirty members of the constitutional convention were present. Speeches were made by District Attorney Pollock, Attorney Hildreth, Colonel Magill, General Capehart, O. W. Francis, L. C. Johnson, Judge Wollin, Judge McConnell, and Judge Twoney. The resolutions of the board of trade were unanimously endorsed and the convention adjourned with much enthusiasm.

### Sullivan Will be Indicted.

PURDYS, Miss., Aug. 12.—The entire party who spent the night here, defendants in the prize fight case, sheriff and jurors, were up early this morning. People came here from miles around, the greater portion of them out of curiosity. Sullivan and the other defendants were in the best of humor, and Sullivan conversed with all who came in contact with him. Quite a crowd gathered about the depot awaiting the arrival of the train from Meridian, which came in on time, bringing Judge S. H. Terrell, District Attorney Neville and a number of attorneys. Judge Terrell lives at Quitmore. Delivery of the charge occupied about fifteen minutes.

The counsel for defense, who were attentive listeners, consider the charge very fair and moderate. Outside of legal gentlemen, the opinion prevailed that under the charge it would be impossible to find indictments against any but Sullivan and Kilrain. Several citizens were at a loss to see how Fitzgerald could be considered aider or abettor when a referee is selected on account of his fairness and disinterestedness. This point was generally discussed. District Attorney Neville said to-night that he could not tell when the grand jury would return any indictments. While determined to uphold the law, the jury would have to have full and satisfactory proof before making any finding. He knew that one of the grand jurors is one of the bondsmen for some of the accused but he had not objected to him because he knew the gentlemen too well to have any fear on that account.

LATER.—Nothing to-night indicated that the grand jury had done anything to-day. Careful interviewing with the accused showed that they were not aware that the grand jury had found an indictment to-day against Sullivan and Kilrain. Although they have not presented an indictment to the court, it was agreed upon.

### Helena the Capital Until 1892.

HELENA, Aug. 12.—In the convention to-day the committee on suffrage reported back without recommendation the proposition to submit woman suffrage as a separate proposition. Mr. Kennedy moved to lay the report on the table, which motion was lost. The proposition of making the keeping of "black lists" a felony was reported to the committee on labor. The capital question came up next. A motion to submit the location of the capital in the year 1892 to a vote of the people was made, so that the temporary capital shall remain at Helena until such election takes place. Thus Helena remains the capital until the election of 1892.

### Sentiment Divided.

CASSETON, Aug. 12.—[Special.]—A meeting of citizens to ratify the action of Delegates Pollock and Peterson in opposing the location of public institutions, was held here to-night. Public sentiment here is divided. A large number of leading property owners met later and passed unanimously the following resolution:

Resolved, That we, as citizens of Casseton, do endorse the action of the constitutional convention in locating the capital and the public institutions because it takes out of the legislature one great source of log rolling and corruption.

### The Irrigation Committee at Helena.

HELENA, Aug. 9.—The convention to-day introduced the senate irrigation committee. The opponents of Helena tried to force the capital question, but the friends of Helena carried a motion to adjourn till Monday.

### Boulanger on Trial.

PARIS, Aug. 8.—The trial of Gen. Boulanger began to-day before the high court of the senate. A body of military guarded the court.

### Death of an Editor.

BAY VIEW, Mich., August 10.—Rev. Dr. Bayless, of Cincinnati, editor of the Western Christian Advocate, died here to-day from the effects of a carbuncle.

### Fire at Trukoe.

SAN FRANCISCO, Aug. 12.—It is reported that the city of Trukoe, Cal., was partially destroyed by fire to-night. No particulars, owing to interruption to wires.

## JAMESTOWN'S BREAK.

Disgruntled Politicians and Town Lot Speculators Meet to Denounce Stutsman's Delegates.

But After a Full Discussion Resolutions of Censure Were Voted Down.

Agitator Mathews, of Grand Forks, Endeavoring to Work Up Sentiment Against the Constitution.

JAMESTOWN, Dak., Aug. 10.—[Special.]—Dodgers calling a mass meeting of Jamestown people for indignation purposes drew a large and excited crowd at the hall to-night, to censure Stutsman county delegates, for their action in capital location. Delegates as the meeting was called to order, unexpectedly turned up, having come from Bismarck by extra train. The audience, surprised at their appearance, were prepared to roast Messrs. Fancher, Camp and Blewett, but their statements that Jamestown never had a chance for the capital backed with other facts not heretofore known changed the temper of the meeting entirely. Other delegates from Grand Forks, Dickey and Ward counties affirmed the gentlemen's statements, and went far towards explaining the true situation. The indignation cooled off, and now great regret is expressed at the insulting transparencies used on the occasion. A resolution condemning the delegates' policy and Daily Alert for sustaining it as the best course to take under the circumstances finally passed by a light vote. Strong sentiment in favor of voting down the constitution was manifested by Mathews, of Grand Forks, and the audience at first cheered the suggestion. A strong reaction was set in and the people of Stutsman county will heartily approve the action of the convention, and condemn the politicians who with personal malice against Stutsman's delegates got up this meeting.

### The Pullman Regatta.

CHICAGO, Aug. 9.—The big event of the Pullman regatta was captured by New Yorkers, this afternoon, in spite of Boston's best efforts. Record smashing in three other races and close finishes throughout made the day doubly memorable. Spectators to the number of 1,900 were present, with a goodly representation of ladies. The water was as smooth as glass, not a breath of wind being noticeable, and the clouds overhead threatening rain, but rain did not fall and the result was a fine day for rowing. The climax of interest was in the race between the two famous eight-oared crews, the Atlanta of New York and the Bradfords of Boston. Considerable money was up on the result, odds being twenty to ten on the Atlanta. The Bradfords passed before the grand stand at 5:25 on their way to the starting place, and were greeted with hearty cheers, but when the Atlanta pulled out ten minutes later, the applause was deafening. They rowed past the grand stand pulling a long steady and beautiful stroke. They appeared the referee complimented them, and tipped their brown caps to the crowd. This little act was also performed by the "Wood-sawers" as the Bradfords were termed. Neither club wasted much time about the grand stand but reversed the referee's compliment and made for starting point one and a half miles away. Five minutes after being in position, the two crews were off. Bradfords took water first, and held a small lead at the half mile. They also held the lead at the three-quarters. Atlanta was gained a point and went in the lead for a short distance, but Bradfords were again in the lead by half a length. Bradfords started out with a thirty-eight stroke, but lowered to thirty-four at the mile, while Atlanta kept up thirty-four all the way through. Atlanta's steady stroke, even rowing and marvelous precision told in the result, as they did not spurt at all, but kept up long strokes that drove the shell forward at a rapidity that was absolutely dizzying. Bradfords were ragged. Some pulled harder and longer than others, and recovery was relatively not easy or graceful. The Boston boys seemed to labor too much, and their boat rocked about, while the Atlanta was humming along as smoothly as a coue and a half. The Atlanta gained a final lead, only when on the last few lengths of the finish. Here the Bradfords tried hard to forge ahead, while the Atlanta never relaxed their powerful, steady stroke. The Bradfords made a grand struggle, but their style of rowing defeated them, and New York's crew crossed the line just half a length ahead. The yell that went up from the spectators was cut short as two of the winning crew were seen to fall over flat in a dead faint. It was a long race and the visitors were badly used up, but were soon in good hands. The Bradfords gave no outward evidence of the strain. The time was: Atlanta 7:41; Bradfords 7:44. The time for the record is 7:45. The previous eight oar time being made in 7:45-45 on Mining river, (Charles) at Boston. The Pair oar record was also beaten; 7:18 on the Pullman course against 9:24 on dead water at Watkins, N. Y. Best previous time on double sculls was made in 7:45-45 on Mining river, (Charles) at Boston. The Pair oar record was also beaten; 7:18 on the Pullman course against 9:24 on dead water at Watkins, N. Y. Best previous time on double sculls was made in 7:45-45 on Mining river, (Charles) at Boston.

### The Sioux Commission.

CHICAGO, Aug. 10.—Ex-Governor Chas. Foster of Ohio, Major William Warren and John B. Warren, of Kansas, and Gen. George Crook, of this city, of Sioux Indian reservation commission, arrived in Chicago this morning. Gov. Foster, chairman, in talking of the work of the commission, said: "There has been a misapprehension of the number of acres to be opened to the public. Information shows it to be 9,000,000 acres, instead of 11,000,000, the latter figure being those estimated by the commission last year."

"Are the lands to be offered for sale the garden spot of the earth that they have been represented to be?" Gov. Foster was asked. "There are some good grazing lands and some good farming lands. It is a good place for raising cattle and sheep. But the latter business would have to be on a large scale." "How much of these can be used for agricultural purposes?" "I do

not care to say much on that point; I am an agent of the government. The land will be for sale? I would not, by being silent, desire the people to think they are better than they are. My impression is that they are not worth much for agricultural purposes. Perhaps one-third of the whole cannot be used for grazing and agriculture, being arid ground and the three-fourths of that that remains the greatest portion would be good for grazing. The climate of the country would have to change before agriculture could be a success. For instance, during July the thermometer ran up to 110 degrees, and the hot wave scorched everything and blasted the crops. The rainfall is not steady and irrigation is necessary. The Missouri river could be used for this. The stream is about three-fourths of a mile wide and can be used for little else, but they can raise fine vegetables out there. For grazing, though there can be nothing said against the country. Grass is cured standing and cattle live throughout the winter by eating the nutritious dried grass in snow fields. I am thoroughly convinced the Indians are capable of rapid advancement, and the next generation will show the old customs of the Indian has passed away. The commissioner will remain in charge until Monday.

Governor Foster, on his arrival here, received the following message from the President: BOSTON, Mass., August 10.—Hon. Chas. Foster, Chicago, Ill.: I desire not only to congratulate, but to sincerely thank the commission for its successful negotiations with the Sioux. BENJAMIN HARRISON.

### Insurance Adjusters in Spokane.

SPOKANE FALLS, W. T., Aug. 10.—Insurance adjusters representing some 200 companies are here, and the work of ascertaining the loss has been in progress several days. After a careful overhauling of the burnt district, it was found that the total losses, including the buildings and stock, will not reach over \$8,000,000, while conservative business men who are well acquainted with the growth of the city, and amounts involved are of the opinion the loss will not exceed \$6,000,000. The city council promptly met and extended the fire limits, and this had a wholesome effect on property owners, a large number of whom are removing the debris and making contracts for the immediate erection of brick and stone blocks within the burnt district, most of which will be five, six and seven stories high. Bricks are produced by one company, to the number of 120,000 a day, and in addition to this the Northern Pacific has given a special rate on the brick and other building materials from Tacoma and other points within the territory. It is found that \$2,350,000 will be paid in insurance, and it is estimated that fully \$6,000,000 will be expended here in buildings during the next two years and that the extra work of building and the disbursements incident thereto will increase the population.

### Rain in Torrents.

KANSAS CITY, Mo., Aug. 12.—An unusually severe rain storm occurred here to-night. It came in two sections. The first, beginning at 6 o'clock, was accompanied by vivid lightning. No damage done from then until midnight. At intervals of half an hour rain descended in moderate amounts. At 12:30 the storm shifted half around the compass from south to north; the wind blew a gale and rain fell in torrents, while lightning lit up the night as light as day. Considerable damage was done, the extent of which cannot be estimated at this hour. The storm was general throughout western Missouri and eastern Kansas.

### KILLED BY LIGHTNING.

HIAWATHA, Kan., Aug. 12.—A very severe rain, hail and thunder storm passed over this (Brown) county to-day. J. P. Harper, a laborer on the farm of J. F. Kerry near here, was struck by lightning in the field and killed. At Robinson, (8 miles from here) several houses were struck by lightning. No one so far as known was injured. The corn crop in the northern part of the county is ruined, the stalks being stripped bare of leaves.

### Two Men Killed.

FRANKFORT, Mich., August 10.—A terrible encounter occurred at Otter Creek, twelve miles north of Frankfort, this morning in which Chas. T. Wright, president of Otter Creek Lumber company, of Racine, Wis., shot and instantly killed Under Sheriff Neal Marshall and Dr. Frank E. Thurber. It seems that Wright had not paid taxes on his mill property at Otter Lake township. In regard to it, about three weeks ago the sheriff attached a large lot of logs. Wright tried to replevin them, but could not get proper bonds and his mill lay idle for want of logs to cut. It is thought Wright with a force of men attempted to gain possession and in the melee Supervisor Thurber was killed first and Marshall soon after. It is rumored that over sixty men were engaged in the fray and there may have been others wounded.

### A Public Benefactor.

AUTIGU, Wis., Aug. 12.—At Bryant, Saturday night, Geo. Irish was awakened by his dog barking, and by getting up thought a bear was after his pigs. He got his gun and followed the dog into the woods and saw what he thought was a bear. He shot and killed a man by the name of Bowman. It seems that Bowman was an outlaw from Kentucky; that a sheriff from that state was at Bryant to arrest him; that as soon as Bowman discovered the sheriff in the house he jumped through a window and started for the woods. The coroner's verdict finds it was accidental shooting. Irish is a good citizen and regards the occurrence, but the neighborhood are talking of giving him a testimonial as a public benefactor.

### Fire at Livingston.

ST. PAUL, Aug. 10.—A Pioneer Press special gives the particulars of an incendiary fire at Livingston, Mont., at 2 o'clock this morning, which resulted in the destruction of the Park Opera house, three dwelling houses and a portion of Gordon Bros' lumber yard. The total loss is about \$12,000 and insurance \$8,000. No work was blowing at the time, which fact is believed to have been the salvation of the town.

### A Lynching Bee.

COLLETTSBURG, Ky., Aug. 12.—A widow named Mills and her two daughters, nearly grown, living in McDowell county W. Va., were found dead by neighbors last Friday. They had been criminally assaulted and murdered. Two Halls brothers were suspected and a vigilance committee was organized to punish them. The captain of a boat that arrived down the Big Sandy from Pikeville to-day reports that the Halls brothers were captured by the committee and hung up by the heels to the limb of a tree and then shot to death.

### A Bad Dog Fight.

MILWAUKEE, Aug. 12.—At an early hour this morning the police raided a dog fight in the upper story of a house in the outskirts of the city. Men jumped out of the windows, and one man was killed; two others had their legs broken and several were badly injured.

## THE RESERVATION LANDS.

Congress Must Ratify Any Agreement With The Indians Before They Will be Opened For Settlement.

WASHINGTON, D. C., August 12.—Numerous telegrams have been received in this city asking for information in regard to the Sioux Indian lands, and many persons appear to have the impression that the president's proclamation is all that is now needed to make the land a part of the public domain and open to settlement. This impression is not founded on law and is erroneous. One of the acts of congress requires that congress shall ratify any agreement made with the Indians before the agreement shall become of effect and it will, therefore, be necessary for the report of commission to be sent to congress and favorable action taken thereon before the president can declare the lands open to settlement. It will be a good while before settlers can go upon the lands.

### Rejoicing at Lisbon.

LISBON, N. D., Aug. 12.—Ransom county held demonstrations endorsing the action of the convention in locating the public institutions, and their delegates in assisting to do so all over the county. The Grand Army posts located at Lisbon and Sheldon passed strong resolutions of commendation. The citizens of Sheldon held a large and enthusiastic meeting for the same purpose. The city council and board of commissioners have forwarded resolutions of thanks for the action of the convention, and a mass meeting of 1,000 of Ransom county's citizens passed similar resolutions and have appointed a committee of forty of her best citizens to go to Bismarck to present them.

### Barnes Also.

VALLEY CITY, Aug. 12.—Valley City and Barnes county enthusiastically endorse the action of its delegates on the public building question, and Scott and his friends carried the primaries 3 to 1.

### Burke Identified.

CHICAGO, Aug. 12.—Martin Burke, the Cronin suspect, was to-day identified by Mr. and Mrs. Carlson, owners of the cottage in which Dr. Cronin was murdered, as the man who rented it from them, giving the name of Frank Williams.

### A Clever Writer.

Mme. de Martell, who signs Gyp to some witty feuilletons, many clever skits, and more deliciously funny society novels, is a pretty young woman with her talent mirrored in her brilliant face, and the smallest hands and feet in Paris. She is an immense favorite socially, and so witty, entertaining and generally delightful in a salon that she is petted and feted in the Faubourg and forgiven by society for drawing her sketches from life with such a fatally truthful and often unflattering hand.

Her novel, "Autour du Mariage," and its sequel, "Autour du Divorce," are undoubtedly the cleverest of modern satires on French society and its system of education of young girls and its method of giving in marriage, and written with a delicate and essentially French touch and sandwiched with such an amount of French society slang that they are the despair of the translator, who shrieks over them in the original and weeps over them in English. Gyp prides herself on her direct descent from Mirobasco, and her ability to floor any conversational antagonist who dares to break a lance with one of the prettiest and the wittiest women in the frivolous capital.—Current Literature.

## LOCAL NEWS.

The "Variety" Game of Base Ball Between Aberdeen and Bismarck a Conundrum.

The Sioux Commission will Recommend Settlers to be Excluded Until Next Spring.

Sitting Bull's Followers—Crop Reports—Personal Mention and Notes by the Way.

## A Novel Game, Indeed.

[From Sunday's Daily.]

The "novelty" game of ball between the Bismarck and Aberdeen teams yesterday, in which the Aberdeen battery played with the Bismarckers, and Holly and Canan, of the Bismarck club, acted as the battery for Aberdeen, was a novelty in more ways than one. It was a novelty in the number of runs scored by the Aberdeen against what was supposed to be a "crack" battery of their own team, and in the fact that Bismarck's amateur battery did better work than the paid professionals of South Dakota. Of course this does not mean that the Aberdeen battery would have done as poor work had they been playing with their own men, and in this consideration lies the ground for whatever dissatisfaction there may have been with the game. However, many good plays were made and there was cause for applause frequently during the contest. Among the features of the game was the excellent work of Holly and Canan, the former's pitching being worthy of special mention; Elliott Barnes held down first base to perfection, and the batting of Canan, Larabee and Howe was good. Howe, as usual, made a home run. The following is the score:

Aberdeen.	R	B	E	A	Bismarck.	R	B	E	A
Fisher, 1b.	1	0	0	0	Hill, 3b.	0	0	0	1
Smith, 2b.	1	0	0	0	Huber, m.	0	0	0	1
Eddy, ss.	1	0	0	0	Larabee, 2b.	0	0	0	1
Howe, 3b.	1	0	0	0	Hutchinson, 1b.	0	0	0	1
Ward, 1b.	1	0	0	0	Gray, r.	0	0	0	1
McDonald, m.	1	0	0	0	Canan, c.	0	0	0	1
Pease, r.	1	0	0	0	Ryan, ss.	0	0	0	1
Canan, c.	1	0	0	0	Greene, 1b.	0	0	0	1
Holly, p.	1	0	0	0	Holly, p.	0	0	0	1
Totals.	20	10	7	12	Totals.	7	8	27	19

Score by innings—  
Aberdeen.....2 0 4 0 4 4 0 4—22  
Bismarck.....0 1 2 0 0 0 0 1—7

Struck out, by Holly 7, by Murnane 8; bases on balls, off Murnane 6, off Holly 3; two-base hits, Canan, Larabee, home run, Howe, double plays, Eddy to Howe, Eddy to Smith; wild pitches, Murnane 4, Holly 3; passed balls, Canan 3, Cody 4, Hill 2. Umpire, Falconer.

## Sitting Bull's Followers.

Lewis Preman, the accomplished interpreter, who visited Bismarck during the past week says that the great majority of the Indians are highly pleased with the opening of the reservation, and are glad they signed the treaty. Sitting Bull is still obstinate and refuses to sign. He is true to his declaration that he never signed a treaty and never would, and looks upon those who did sign as traitors and women. Among the chiefs who are true to old Bull in his course are Cieling Bear, Running Horse, Brave Thunder, Running Antelope, and numerous minor chiefs. Mowat's surprise of every one. Rain-in-the-Face was one of the first to sign, and he did so without solicitation and without making a speech. It is believed at the agency that Sitting Bull may yet be induced to sign, although his signature is not necessary, and the commissioners are not at all desirous of having him sign at this late day.

## Crops Not a Failure.

The reports that come from the country are by no means discouraging. Much to the surprise of everyone the growing grain has improved wonderfully during the past few weeks, and many of Burleigh county's farmers will have a fair yield.

Hugh McGarvey, who has been absent for some time was surprised upon his return several days ago to find that his fields were in good condition and that instead of a total failure as he expected when he departed for Minnawaukan he finds that he will have from 15 to 18 bushels per acre. Numerous other Burleigh county farmers have given encouraging reports during the past week, and from Edmons, McLean and Morton there are words of comfort and cheer.

Now, let's have irrigation and the Missouri valley will be the garden spot of the world.

## A Pleasant Dinner Party.

On Thursday last Major Powell, the popular commanding officer at Fort Lincoln gave a dinner in honor of General Crook, Governor Foster and Major Warner of the Sioux commission. It was one of the pleasant informal events in the history of the quiet little post and with the jests and wit of the happy commissioners the hours passed rapidly and the only regret was that their visit could not be longer. Photographer Barry, of Bismarck, was present on invitation of Major Powell and made a fine photograph of the commission.

## When They May Settle.

It may be interesting to those who are anxiously awaiting an opportunity to settle on the Sioux reservation to know that the commissioners will recommend that the government survey of the lands be made this fall and that no settlement be permitted until next spring. The commissioners do not believe it would be wise to have settlers go upon the lands at the beginning of winter with inadequate preparation for the cold weather and insufficient supplies.

## Willie Elder Dead.

Again has the home of Mr. and Mrs. George Elder been filled with sorrow. On Thursday morning their little son Willie died from the effects of scarlet fever, after an illness of several weeks. Deceased was four years of age, and follows his brother George who recently died from the same disease. Mr. and Mrs. Elder have the profound sympathy of the community in their great affliction.

## They "Play Ball."

The Aberdeen base ball team which has won the championship of South Dakota and is now defeating everything it meets in the North, arrived Thursday morning and at 4 o'clock in the afternoon met the Bismarck team on the home grounds. The Aberdeen team has not been overestimated for every member is a base baller of ability and the battery of yesterday's game would have done credit to any of the country's leagues. The work of the battery will be seen in the score, which was 14 to 2, in favor of Aberdeen. The heavy batting of the visitors also aided in the re-

sult, for the Hub City men had great luck in batting the ball to uncovered portions of the field. For Bismarck the battery was Holly and Canan and both did excellently. Holly striking out ten of the southern artists and Canan having but one passed ball during the game. Huber distinguished himself at the bat and Greene, Larabee, Ryan, Gray and Hutchinson did remarkably well in the field. Hill did not play his game, but he guarded third base in good style and made several pretty plays. The attendance was good and the game was greatly enjoyed. The Aberdeen men are not only good ball players but are gentlemen with whom it is a pleasure to meet. The following is the score:

Aberdeen.	R	B	E	A	Bismarck.	R	B	E	A
Howe, p.	4	8	0	18	Hill, 3b.	0	0	0	1
Ward, 1b.	2	0	0	0	Huber, m.	0	0	0	1
Smith, 2b.	2	1	0	2	Larabee, 2b.	0	0	0	1
Pease, m.	2	1	0	2	Hutchinson, 1b.	0	0	0	1
Cody, c.	2	1	0	2	Gray, r.	0	0	0	1
M'Donald, 2b.	1	2	0	0	Canan, c.	0	0	0	1
Murnane, ss.	1	0	0	1	Ryan, ss.	0	0	0	1
Fisher, r.	1	0	0	1	Greene, 1b.	0	0	0	1
Holly, p.	1	0	0	1	Holly, p.	0	0	0	1
Totals.	14	15	7	23	Totals.	2	4	27	19

Score by Innings—  
Aberdeen.....3 1 1 5 0 1 0 2—14  
Bismarck.....0 0 0 0 0 0 0 2—2

Home runs—Cody, Smith. Passed balls—Canan, 1; Cody, 1. Wild pitches—Holly 1. Bases on balls—McDonald, Cody, Greene. Struck out—Howe, 17; by Holly, 19. Umpire—Eddy.

## Invincible Aberdeen.

[From Saturday's Daily.]

The second game between the Bismarck and Aberdeen base ball clubs was witnessed by a fair audience, and notwithstanding the fact that the South Dakota team is composed of salaried professionals, the first five innings showed that the Bismarck amateurs are good ball players. At the end of the fifth inning the score stood 5 to 4 in favor of Bismarck, and had Huber then been relieved from pitching, as he desired, the result would have been different. Unfortunately Huber's shoulder had given out, and in the sixth inning he gave five men bases on balls, and the Aberdeen scored nine runs in the inning. In the next inning Hutchinson was placed in the box, and as he has not practiced during the season, it was impossible for him to control the ball. However, he held the Aberdeen down very creditably, and with the record of the sixth inning erased, the score would stand 9 to 8 in favor of Aberdeen, instead of 18 to 9. Murnane, who pitched the first five innings for Aberdeen, could not hold the Bismarckers down and Howe, the most effective twirler that has ever thrown a ball over the Bismarck diamond returned to the box, much to the dismay of those who were hoping that the capital city boys would win. There was some fine fielding on both sides, and Hill covered himself with glory by his sharp pleading and expert work on third.

## THE SCORE.

Aberdeen.	R	B	E	A	Bismarck.	R	B	E	A
Howe, p.	4	8	0	18	Hill, 3b.	1	2	5	2
Ward, 1b.	0	0	0	0	Huber, m.	0	0	0	1
Smith, 2b.	2	2	0	2	Larabee, 2b.	1	2	1	1
Pease, m.	2	2	0	2	Hutchinson, 1b.	0	0	0	1
Cody, c.	2	2	0	2	Gray, r.	0	0	0	1
M'Donald, 2b.	2	0	0	1	Canan, c.	0	0	0	1
Murnane, ss.	2	1	0	2	Ryan, ss.	0	0	0	1
Fisher, r.	2	1	0	2	Greene, 1b.	0	0	0	1
Holly, p.	2	1	0	2	Holly, p.	0	0	0	1
Totals.	18	9	7	29	Totals.	8	7	27	19

Bases on balls—Hill, Larabee, Gray, Ryan 2, Howe, Pease, Cody 2, McDonald 2, Eddy 2. Struck out, by Eddy 2, Howe 8, Hill 3; two-base hits, Canan, Larabee, home run, Howe, double plays, Eddy to Howe, Eddy to Smith; wild pitches, Murnane 4, Holly 3; passed balls, Canan 3, Cody 4, Hill 2. Umpire, Falconer.

## North Dakota's Pillmakers.

Frank Frisby attended the meeting of the North Dakota Pharmaceutical association at Fargo. From the Fargo Republican it is learned that the following officers for the ensuing year were elected:

President—L. Christianson, of Fargo.  
Vice-President—D. F. Siegfried, of Sanborn.

Second Vice-President—W. S. Parker, of Lakota.  
Secretary—H. L. Haussman, of Grafton.  
Treasurer—E. C. Maxey, of Fargo.  
Messrs. Frisby, Frisby, Maxey, of Fargo, and Haussman of Grafton, were elected delegates to the meeting of the American association.

## Sheep Raising Profitable.

Mandan Pioneer: If there is anything that a man can make money at in North Dakota it is the sheep business. Here is a case of how it works. About two months ago Mr. Sublette bought a one third interest in 4,870 young sheep. Since the time of investment the growth of the sheep has increased their value so that \$1,900 could be cleared by selling them now. Mr. Sublette has no intention of selling, but the other hand will increase his flock by 1,500 more this fall.

## Broke His Leg.

Ranchman Von Elgen, of Medora, had a leg broken last evening by the falling of his horse. He was mounted on the horse near the depot when the train arrived from the west. The animal became frightened and in plunging fell. Mr. Von Elgen was taken to the Lamson hospital, where his broken limb was set, and he is now resting as well as can be expected.

## Knight Reinstated.

E. W. Knight, the accomplished and popular first assistant clerk of the convention, has received his re-appointment to the railway mail service, and will take the train between Fargo and Ortonville on the Milwaukee road. Mr. Knight is congratulated on this mark of confidence on the part of the administration.

## Loading For Yates.

The steamer Batchelor is loading for Yates, twenty-seven carloads of coal for the post having arrived recently. She will go down to day or to-morrow.

Free Transportation for all Dakota Exhibits to the North Dakota Fair.

The fact that the Manitoba, Northern Pacific and Milwaukee roads have refused this year to give a free rate of transportation to and from the fair, but offering to carry exhibits one way only, threatened to be a serious obstacle in the way of a successful fair. The large breeders who use the fair as an advertising medium would constitute about the only exhibitors.

It practically prohibited farmers and the people generally from participating to the extent of entering their vegetables, grain or live stock for competition, as even a half rate is more than a farmer can afford to pay this year. But the board of agriculture, with their usual good sense and far-sighted policy, recognized the necessity of many exhibitors or no fair, and decided at their last meeting, to pay the half-rate charged by the railroads on all exhibits shipped from Dakota points, and to provide free transportation to and from the fair to be held at Grand Forks September 17th to 21st, for all Dakota exhibitors.

Fargo Argus: Every township in Cass county was represented at the Cass county republican convention—except three—which one vote each. That looks as though the time for holding the convention was not so bad.

## THE SURPLUS OF WIDOWS.

REASONS WHY THEY ARE MORE PLENTIFUL THAN WIDOWERS.

It Is Becoming Common for Old Men to Marry Young Women—A Practice Which Is a Grave Menace to Posterity—Some Statistics and Plain Talk.

In the article which we published on "Work and Women," we stated that "it is not the spinsters who constitute the surplus female population and by whom the labor market is flooded, but the widows," and, adding statistics in evidence, we added "that the widows number as many as 1,410,684, and the widowers 889,644, being an excess of 521,040 women. So great an excess of widows over widowers was scarcely to be expected, and must be regarded as a deplorable thing which seems to suggest at once some default or vice in our social life."

We mentioned as reasons for this excess "the greater natural longevity of women and the many risks to life to which men of all classes are exposed." The greater longevity of women than of men becomes a factor in the advance stages of life. On reference to the census of England and Wales for 1881 we find that widowers of 65 and upward numbered 180,124, and widows of corresponding age 372,377, whereas at 55 the widowers numbered 90,905 and the widows 259,811; and, again, at 45 the widowers 73,928 and the widows 193,690, so that the excess is still greater where longevity has nothing to do with it. While it is true that men are more exposed to risk than women, the mortality from childbirth must be taken into account; and, although small in comparison to the risks which men in general are exposed to, it must count as against the limited number of the married.

## AS OLD AS THEIR GRANDFATHERS.

We propose to show what we apprehend is the true and simple explanation, viz., marital disparity. In an article in the Universal Review on "Population in France," Robert Donald says: "There is frequently a disparity between the ages of the couples, which leads to an abundant crop of young widows. For every 100 widows in France there are 104 widowers." How young, too, in our own country some are left widows is shown by the census of England and Wales of 1881, at which date there were 52,019 widows of age 24. Fifty-two thousand widows seem a great number at an age when, according to some authorities, most women should first marry, especially in these times. As long as women do not submit to the fate which weighs on their natural mates or companions, but marry men old enough to be their fathers, grandfathers or great-grandfathers (often widowers), from unwillingness to face the battle of life, or from love of ease and idleness, so long will there be a gross inequality between the number of widows and widowers.

This custom appears to be growing more and more prevalent every day in this country throughout all classes, and has frequently been the subject of comment in the newspapers. That marriage on the part of men is becoming later through the greater struggle of life, the advantages and fascinations of club life and other reasons is a well known fact. Now, from the fact of men not only marrying often when far advanced in manhood, but sometimes when nearer the end than the beginning, to which must be added remarriage, often more than once, and marrying then not women of corresponding or approximately corresponding age, but young women, it must follow in the ordinary course of things that such women must be left widows long before the natural termination of their lives. Some have seen in the fact of woman's greater longevity a reason why she should marry a man somewhat younger than herself, so that she may hope to have a companion in her latter days as well as in her earlier—a reason, indeed, in which she often stands sorely in need of a protector. There are, however, countervailing reasons, and some of a very valid nature, which are likely to prevent this ever becoming a custom.

## A CAUSE OF TROUBLE.

Gross disparity was forbidden by Jewish lawgivers, and also by the most enlightened of pagan legislators. Is it wise or prudent to permit the vigor of manhood to be dissipated or wasted, and to allow posterity to owe its origin to the waning strength of old men? It is certainly contrary to the warning voice of the most intelligent and disinterested of the medical profession, who are unquestionably the best counselors on this subject. "There is no contract into which people habitually enter with so little thought for their future health and happiness and for the moral and physical welfare of their possible offspring." "Every family practitioner knows in how large a proportion of cases the wretchedness of ill assorted unions depends on physical causes rather than on incompatibility of temper. The victims themselves are often unconscious of the real cause of their suffering, and invoke the aid of priests and legislators instead of that of the physician, who alone can help them."

Marriage, in its essence, is the duty of one sex toward the other, and may be approximately expressed as the complementing and supplementing development and utilization respectively of manhood and womanhood, and we are not aware, apart from this, that it differs from any other union between man and woman so far as morality is concerned. The key is not more necessary to the lock, nor the cord to the bow, than is man and woman to each other in respect to the perfection of human life; they are, indeed, as the poet Longfellow says, "twined each without the other." This twining, this weaving of married life is but one feature in that hymeneal profanation which is the curse and disgrace of our age, as it was that of the decline of Rome. If we were to quote the following words without saying that they are taken from Horace, Book 3, Ode 6, anyone not knowing them might think they were taken from some current writings: "The present age, teeming with all manner of vice, has first debauched our marriages, our families and our houses. From this source are derived those calamities which have overwhelmed our country and our people."

The profanation of the marriage covenant, as much in the church as in Vanity Fair, makes of the moral teaching of today in the name of Christianity from pulpit and platform a complete farce, an insult to manhood and womanhood and a libel on the finished work of the Creator.

In our article on "Work and Women," already referred to, it is said: "We find that between the ages of 15 and 45 the single women are absolutely in the minority, for the bachelors number 4,101,014, and the spinsters only 4,002,118, an excess of 78,896 men." Looking on our society of today the reader will realize the truth conveyed in the words of Hepworth Dixon in the "White Conquest": "Nature puts the sexes on earth in pairs, and man destroys that balance at the cost of his moral decay."—Westminster Review.

## A Grateful Citizen.

Citizen to country editor: That was a very handsome notice you gave me in this week's paper, Shears, and I called in to Country Editor—Er—to subscribe for a year! "N—no; to see if you had an old copy lying about anywhere."—Texas Sittings.

## THE LATE MRS. HAYES.

Sketch of a Woman Whose Presence Once Adorned the White House.

The late Mrs. Hayes was born in Chillicothe, O., in 1831. The daughter of Dr. James Webb and Maria Cook Webb, Lucy Ware inherited from her mother, who was a woman of great force of character and deep



LUCY WEBB HAYES.

religious convictions, that high sense of principle and steadfastness which characterized her. She was graduated in 1852 at the Wesleyan Female seminary, at Cincinnati, and six months later married Mr. Hayes. Nine years passed and her husband was at the front in war time in West Virginia. After the battle of South Mountain, in which he was wounded, his wife met him at Middle town, Md., and nursed him. During the war she was indefatigable in her efforts in behalf of disabled soldiers, spending much of her time in the hospitals. After the war she became one of the originators of the Ohio Soldiers and Sailors' home, and one of its directors.

Mrs. Hayes became familiar with Washington when her husband was a congressman. In 1877 she was called upon to play the part of first lady in the land. So far as culture and refinement were concerned no woman ever occupied that position who was better fitted for it. Notwithstanding all the antipathy excited by her departure from time honored customs in the White House, no one even intimated that Mrs. Hayes was not a refined and a superior woman. She was well adapted to entertain, was a good mother and wife, and was universally respected. When she left the White House she left hosts of friends. Senators and representatives vied with each other in compliments upon her grace as a hostess, and those who had been with her under the same roof felt deep regret at her departure, from the many kindnesses they had received at her hands.

Mrs. Hayes was a woman of medium height, with a slender figure. Refinement was marked in form and race. She was what may be called a beautiful woman, though not in the sense the term is applied to a society belle. Her apparel was always simple, and the plain manner in which she wore her hair was in contrast with the fashion of the times. Her expression was gentle and winning, yet full of moral strength; her eyes soft and dark, her features delicately cut.

Since leaving the White House Mrs. Hayes has been prominent in a more limited sphere. A member of the Women's Relief Corps and President of the Women's Home Mission society, of the Methodist church, she found her duties as congenial as entertaining the notables of Washington. She was also made an honorary member of the Society of the Army of West Virginia. She had eight children, of whom four boys and one girl are living.

## A NEW BRUNSWICK EXHIBITION.

It Will Be an Entertaining Feature of the Month of July.

In St. Johns, N. B., they are soon to have an electric exhibition which will illustrate to the citizens of that region and to visitors what has been going on lately in the world of practical science.



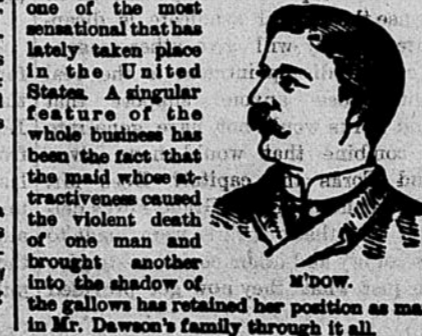
ELECTRIC EXHIBITION BUILDING.

Carnival week will commence on Monday, July 23, by the official opening of the electric exhibition, to be followed by a concert. On Tuesday morning there will be athletic games, baseball, cricket, lawn tennis and lacrosse, and in the afternoon a monster trade procession. On Wednesday will be a regatta. There will be races of all kinds of craft, from the yacht to the wash tub. On the same day races will be run in Moose Path Driving park, and in the evening a magnificent marine pageant in the harbor, while on the hills will be moving a torchlight procession. On Thursday there will be a carnival parade; and so the week will be taken up with sports.

While all this is going on the electric exhibition will be open, in which novelties in electricity will be viewed by such as take an interest in them. There will be a revolving garden, a mysterious electric fountain, a magic Japanese fish, a monster Edison lamp, an electric pump; indeed, every device to which electricity has thus far been applied.

## The Slayer of Dawson.

Here is a portrait of McDow, the Charleston, S. C., man who killed Capt. Dawson, editor of The News and Courier, during an altercation between the two over McDow's attentions to a Swiss maid in the employ of the editor's wife. The story of the crime has often been told, and the trial of McDow was one of the most sensational that has lately taken place in the United States. A singular feature of the whole business has been the fact that the maid whose attractiveness caused the "violent death" of one man has brought another into the shadow of the gallows has retained her position as maid in Mr. Dawson's family through it all.



McDOW.

# CASTORIA

for Infants and Children.

"Castoria is so well adapted to children that I recommend it as superior to any prescription known to me."  
J. A. ASCHER, M. D.,  
111 So. Oxford St., Brooklyn, N. Y.

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If you want good bread, ask your grocer or flour dealer for  
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ALL KINDS OF BUILDING MATERIAL, ALSO HARD AND SOFT COAL.

Yards Corner Sixth and Main Streets, Bismarck, Dak.

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LUMBER AND BUILDING MATERIAL—Wholesale and Retail.

BISMARCK, - - DAKOTA.

## O. F. DAVIS

Bismarck, Dak.

Will make your proof and loan you money at reasonable rates. Give him a call.

## Notice of Sale of Bonds.

NOTICE is hereby given that up to noon, August 15, A. D. 1889, the board of county commissioners of Edmunds county, Dakota territory, will receive sealed bids for \$10,000 bonds in denominations of \$1,000, said bonds to be issued under chapter 12, session laws of 1889, to bear interest at 7 per cent., payable annually, redeemable after ten years and payable at expiration of fifteen years.

J. W. FARMLEY,  
County Clerk.

Dated at Ipswich, Dak., July 8, 1889.

## Horses and Cattle CHEAP

One or more city lots buys a horse, buggy and harness.  
\$150 buys a team of 8-year-old geldings with wagon and harness.  
\$150 buys a team of young mares.  
\$25 buys a spring wagon.  
\$40 dollars buys a Polled Angus bull.  
\$25 buys cows and calves.  
\$50 buys a riding horse.  
\$75 buys a Holstein cow.  
\$250 buys 3/4 blood Clyde stallion colt.  
\$350 buys 3/4 blood Clyde stallion colt.  
\$5 for the services of the Norman stallion "Hannibal." No insurance against accidents.

I sell on long time and will exchange some stock for real estate. My office is with O. H. Holt, insurance agent, near the depot.

GERALD PIERCE,  
Bismarck, N. D.

## RUPTURE

PERMANENTLY CURED BY THE SANDEN ELECTRIC TRUSS

For full particulars of this new and powerful

# The Bismarck Tribune.

BY M. H. JEWELL.

## THE DAILY TRIBUNE.

Published every morning, except Monday, at Bismarck, Dakota, delivered by carrier to all parts of the city at 25 cents per week, or \$1 per month.

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## WEEKLY TRIBUNE.

Eight pages, containing a summary of the news of the week, both foreign and local; published every Friday, sent postage paid to any address, for one year \$2; six months, \$1; three months, 75 cents.

The WEEKLY TRIBUNE is the oldest paper in North Dakota and the aim is to make it a perfect encyclopedia of Dakota affairs. Its circulation is large, both in the territory and the States.

The DAILY TRIBUNE, like the weekly edition, containing the full Associated Press dispatches, is a desirable advertising medium through which to reach all the people of the Territory and the States. The general advertising agent of the TRIBUNE is A. F. Richardson, Room 38, Tribune Building, New York. All advertisements for the TRIBUNE from points east of Illinois should be sent to him.

## THE CLOSING HOURS.

To-day North Dakota's constitutional convention re-assembles to conclude its labors as constitution-makers for the new state. The revision and adjustment committee have been at work during the interim of the short vacation, arranging the detached sections scattered over the field for the grand review in one consolidated column. If due deliberation secures harmony, there should be but little friction in the final display, for certainly there has been no indecent haste in arriving at results. The formulators of the various sub-divisions have taken ample time on their respective parts and if the best constitution the world has ever seen has not been produced, it must be attributed to the lack of experience, rather than lack of zeal of the young statesmen, who have been at the work. The careful reader of the daily reports of proceedings must be somewhat familiar with the leading features of the important document about to be handed over to the people for their approval or rejection, and if a good listener, he has not escaped a portion of that verdict known as popular criticism. As a general thing it seems to be well approved, but by those who are credited as belonging to the more politic and far-seeing class, serious objections are made to two items—the one providing for the taxation of railroad corporations by the mile, and the one limiting state credit to \$200,000. The first is dangerous to the state pecuniarily, involving a probable loss of revenue, by attempting to tax what is not taxable, in lieu of securing an equitable and legitimate income by taxing the gross earning of the roads. The unnecessary limitation of the credit of a great state to so small a sum might never prove a misfortune, but in the course of human events an emergency might arise greatly embarrassing to the people of a state with an abundance of credit and a constitutional provision prohibiting them from using it. This is susceptible of illustration, would space permit.

But the crowning glory of all their labors the constitution-makers have made conspicuous is the wise provision which gives permanency to the location of the public institutions. The withdrawal from partisan and local strife the cause of more bitterness, fraud and corruption than can be engendered by all other issues combined is a consummation to which none but a soldier of fortune in the political ranks, a speculator in town lots and an evader of usury laws can object. The distribution of these institutions is eminently just and equitable and could not have fallen with more grace from the hands of any future solons, and the location that has received a plum and squeals for more is worse than an "Oliver Twist," and would not be satisfied with the earth and the brightest star in the firmament "on the side." Grand Forks retains her university, the brightest ornament in the crown of statehood and still is miserable because she cannot tie the capital of the great state of North Dakota to the western boundary of Minnesota. Jamestown, with her institution for the insane and weak minded, of far greater local value as a money disbursing machine—and with a monopoly secured—than has fallen to the lot of any other locality, endorsed the wisdom of the committee and the convention and their appreciation of the fitness of things by being deluded into the belief that somebody in the Red River valley was waiting to help them to the seat of government also, thus furnishing the strongest argument that they are entitled to what they already have, and that its standard will never be lowered from a want of home encouragement. But there were no flies on their representatives. They have failed to rend the air or threaten a dissolution of the universe. No doubt the convention will be able to maintain its dignity and self-respect through the closing ordeal as it has from the beginning, with a full consciousness that they are right, and that the people are most unanimously with them in this matter.

It is rumored that some of the thirty delegates who voted against the locating provision will refuse to sign the constitution containing it, and attempt its defeat by the people. As the signatures of the president and secretary, or chief clerks as he is designated, is all that is necessary to make it official so far as this convention is concerned, the call of honor will only be shortened by the number of signatures less than seventy-four other

names that are attached to it. The thirteen who thought to make themselves immortal by refusing to sign the Topeka constitution when Kansas was to become a state were never afterwards very happy over their stubborn exploit, for the halo of glory they anticipated failed to surround them. Men who believe in majority rule should not be factious when majorities fail to come their way. In the language of Col. Robert Ingersoll, "let us be reasonable." If nothing is to be added to or taken from the constitution as submitted by the committee on revision and adjustment, a speedy closing of the convention may be looked for, and although the creation of a state and not the assassination of a king is the work in hand, still "if it were well done it were well it were done quickly."

DELEGATE MATHEWS denies that he sent out dispatches urging his constituents to fire in telegrams of disapproval, and he also denies that he was among the members on the Grand Forks delegation, who wanted to make some kind of a combination—similar to the successful one. Very well. But Mr. Mathews will not deny that he did send out dispatches to his Grand Forks constituents, calculated to excite and prejudice the public mind, and that among other things he charged that "the action of the combination reeks with corruption and trickery." This is a pretty hard thing—a rather dangerous charge to make against a large majority of the convention. And then at Jamestown the other night, Mr. Mathews told them all about the iniquitous scheme, the rotten document, etc. Mr. Mathews and his associates have a right to express their views on the question, but he and other members of the Grand Forks delegation are correctly reported in the Grand Forks papers, it is about time these gentlemen were brought to account. It is rather presumptuous for a few members smarting under disappointment to charge such awful things upon a majority of such an honorable body. Let the minority look upon this matter philosophically. The majority is likely to be larger to-day than it was last week. Let the minority yield gracefully. Majorities rule in this country, and it is safe to presume that majorities are right. This convention cannot be swayed by individual or community disappointments. Grand Forks has received a valuable adjunct to her university, which is, and always will be, one of the grandest of North Dakota institutions. Grand Forks has her immense flouring and lumber interests—pride city of the Red, she has enough without depriving the west of her heritage and the state of its capitol building already built. Mr. Mathews, thou zealous patriot, thou recognized leader of the opposition, call Grand Forks off.

## THE CONVENTION INDORSER.

The Minneapolis Tribune, one of the leading newspapers of the northwest, contains the following leading editorial in commendation of North Dakota's constitutional convention:

The location of public institutions invariably has proven to be a fruitful source of trouble in the local politics of this country. Many of the western commonwealths have been disgraced by protracted fights about locating the seat of government, penitentiaries, asylums, state schools, etc., and the cause of any number of our laws have similar tales to tell about absurd and unseemly county seat wars. One would suppose that the people of any commonwealth in process of formation would regard with favor any plan adopted for the purpose of eliminating this troublesome element from their politics. Contests of this character serve no useful purpose, but, on the contrary are a prolific source of ill feeling and bitterness. Yet the Bismarck convention has been the target for considerable adverse criticism in the Red River valley districts, because it concluded to settle forever all quarrels regarding state institutions by fixing their location by the constitution.

It is argued that in taking such action the convention usurped power that is not delegated to it by the people, and that it rests with them to decide, by a direct vote, where the capitol and the respective state institutions shall be located. This constitutional convention is pre-eminently a representative body which may justly claim to possess all powers incidental and essential to a proper prosecution of the great work of laying the political foundations of a free commonwealth. Inasmuch as the seat of government must be somewhere, and considering that the various state institutions are only so many vital organs of the state, the propriety and expediency of fixing their location by the constitution cannot be doubted. It is evident that the Bismarck convention has performed this function without regard to the public welfare or in a spirit of partiality to certain districts or cities, there would have been just cause for criticism. But this does not appear to have been the case, nor is it charged by those who are loudest in their criticism. The various state institutions could hardly have been more fairly or evenly distributed. As regards the location of the capitol there is no city in North Dakota possessing such superior advantages over Bismarck in this respect that the considerable expense involved in a removal of the seat of government would have been justified. Bismarck has the central position, ought to retain it, let alone that it is a matter of doubt whether it would be legal to remove it.

On a sober second thought those who are dissatisfied with this part of the work of the convention will conclude that it will conduce to the best interests of the commonwealth. It removes a source of trouble and annoyance in the future—a fact which possibly may have disappointed a few politicians, but which will be hailed with satisfaction by the common people. That the constitution should be opposed in any city or district on this account is too improbable for belief.

DELEGATE ROLF, of Benson county, struck the key note when he said that the location of the public buildings was one of local interest and public policy. It would be against public policy to abandon \$250,000 worth of property and the present seat of government and as regards public institutions the exact location of each is more of local than

public concern. It is the management in the future that the people will have to do with, and the fact that the legislature will be purged for all time of the jobbery, corruption and wrangle incident to the location of these institutions by legislative authority will prove a great blessing. The people, by their votes are now locating these institutions and that they are equitably distributed cannot be denied. Six of the public institutions are on the Manitoba system. Six on the Northern Pacific system, and the two institutions at Grand Forks are on both roads. The permanent location of these institutions with the heritage of land does not cost the people anything—not a cent is appropriated and the buildings cannot be built until needed and appropriations are made therefor. It is proper the constitution should restrict the legislature in this respect. Who is it that is kicking against the action of the convention in regard to the location of the public institutions? It is real estate syndicates and corner-lot speculators, who anticipated a rich harvest at the expense of the tax payers. They would throw away a quarter of a million dollars of the state's assets in the shape of capitol building and grounds, simply to create a means whereby they might be enabled to make money out of speculative capital townships. The constitution as it is framed is on the side of the farmers—a much more satisfactory document than they ever expected. It will give universal satisfaction, except to a class of speculators who care not for the material interests and welfare of the vast majority of North Dakota's citizens, but who are actuated entirely by selfish motives. The constitution is all right, notwithstanding the disappointment and opposition of the Grand Forks capital syndicate.

## WHAT AN ABSURDITY.

With a partial failure of crops and hard times staring the taxpayers in the face, an expensive campaign and a long legislative session coming on, what kind of an excuse could any delegate give his constituents for abandoning \$250,000 of the people's property to give some land syndicate or town lot owners the inflated and speculating benefit of a temporary capital?

For the benefit of the weekly readers the following table showing the apportionment for the first legislature is again published:

Districts.	Senators.	Reps.
1 & 2	Pembina	2
3 & 4	Walsh	2
5 & 6	Grand Forks	3
7 & 8	Trail	1
9 & 10	Richland	2
11	Sargent	1
12	Ransom	1
13	Barre	1
14	Steele & Griggs	1
15	Nelson	1
16	Walworth	1
17	Towner & Ricketts	1
18	Benson & Pierce	1
19	Eddy, Foster & Wells	1
20	Stateman	1
21	LaMoure	1
22	Kimmons, McIntosh, Logan & Kidder	1
23	Bottineau & McHenry	1
24	Ward, McLean and all unorganized counties north of the Missouri river	1
25	Morton & Oliver	1
26	Mercer, Stark, Billings and all unorganized counties south of the Missouri river	1
Total		62

The lowest limit provided by the constitution is thirty senators and sixty representatives; the highest limit is fifty senators and 140 representatives. The senators are elected for four years and divided into two classes. Those elected in the districts designated by even numbers shall constitute one class, and those in odd-numbered districts the other class. The senators of one class hold for two and of the other class for four years—to be divided by lot. It will be observed that it will be impossible to tell which will be the four-year class until the legislature meets. The representatives are elected for two years. The schedule provides that the present county officers shall hold over until the end of the term for which they were elected. District judges elected on the first Tuesday in October next hold their office until the first Monday in January, 1893. All other state officers, except judges of the supreme court, who shall be elected at this election, hold their offices until the first Monday in January, 1891, and until their successors are elected and qualified. Until otherwise provided by law judges of the supreme court will receive \$4,000 per annum and district judges \$3,000 per annum.

GRAND FORKS is so sorely disappointed at not being able to get the capital she is holding indignation meetings. This must be cold consolation to Messrs. Lloyd, Nickens, Glaspell and others of Jamestown, who had an idea last week that Grand Forks would "stand in" with them—for Jamestown. Grand Forks' opposition to the locating of public institutions permanently in the constitution is wonderfully transparent.

GRAND FORKS—or rather a good portion of Grand Forks—is kicking. This was to be expected. Why this kick? Because the capital syndicate is disappointed. They will give other reasons but capital disappointment is the real reason. Does anyone suppose that Grand Forks would not have gone into any combine that would have given Grand Forks the capital? Does Mr. Mathews and the other Grand Forks delegates deny that overtures were made to Cass county and other counties—to give them just what they now get provided

they would enter their scheme, with the capital at Grand Forks instead of at Bismarck? Rise up Mr. Mathews and be sworn. Did you not send a misleading telegram to Grand Forks with a view of arousing the people—telling them the constitution was rotten—when you know that the constitution is an exceptionally strong document, and contains every provision wanted by the farming interest? Did you not lead the Jamestown people to believe that they could get the capital—not with sincerity, but with avowed purpose of breaking the combination and placing the capital on wheels? Haven't you and your associates admitted this fact? Did you not telegraph abroad that the result "had been secured by corrupt methods" and that "the convention was bought up body and soul"? Have you knowledge of any corruption or "bargain and sale" on the part of any member? Were you approached? Do you know any delegate who was? Hold up your right hand, Mr. Mathews, and be sworn again. Does not the fact that you were disappointed and not in the combine, and unable to make another or break the one that was successful—does not this, so to speak, "account for the milk in the cocoanut and likewise the hair on the outside?"

BURLEIGH county constitutes the twenty-seventh legislative district, and together with Emmons, Kidder, McLean, Morton, Oliver, Mercer, Stark, Billings and the western unorganized counties south of the Missouri river, the sixth judicial district. The republican caucuses throughout the county to elect delegates to the Fargo state convention, August 21, and to the judicial convention at Mandan, August 24, will be held next Saturday. The county convention is held next Monday, and at this same convention one state senator and two representatives will be nominated. Let there be a good turnout of republicans at these caucuses. It means a great deal for Burleigh county. There are, so far as heard from, but two aspirants for the judgeship on this side of the river—Messrs. Winchester and Newton. Morton county presents Mr. E. C. Rice. Burleigh county has to choose between Newton and Winchester. The chances are in favor of the latter, although Captain Hughes, S. G. Smith, W. B. McClung and other friends of Newton feel confident. For the Legislature Col. Little Farmer Rawlings and Hon. E. A. Williams are favorably mentioned, and it is also understood that the friends of Sid Smith, Dr. Bentley, W. B. McClung, and Capt. Moorhouse, are urging their favorites to get out of the dark horse stalls. Let us remember one thing. This is to be a republican convention. Whatever the result it is the duty of every republican to stand up and work for the ticket. We will have statehood in a few months, and we want the pure quill in politics. Bolters and kickers will have a sorry time of it hereafter. Personal disapprovements must not stand in the way of party success. Let the battle in the party be fought in the caucuses and in the conventions. At the polls there is but one thing for republicans to do—vote straight and work right. The days of party treachery are over.

HON. F. B. FANCHER was honored with the highest position in the gift of the convention. Mr. Camp was chairman of one of the most important committees, and Mr. Blewitt an honored member on the floor. These gentlemen were in a position to know the exact temper of the convention, and knowing acted upon their best judgment. Their every action was for Jamestown. Not succeeding in getting the main thing, they did the next best thing—voted to keep the capital west of them and away from the Minnesota line. They secured another institution for Jamestown, with an endowment of 20,000 acres of land. But this is not all. There was quite a sentiment in favor of locating a second insane asylum. The Jamestown delegates secured the insertion of a provision preventing the duplication of public institutions and thus fixed for all time at Jamestown the establishment of what is and probably always will be the largest and most important public institution in the state. It comes with poor grace from Mr. Nickens—who never did more for Jamestown when he occupied similar positions of trust—to even hint at lack of ability and loyalty on the part of the Statesman delegates in the convention. Every loyal Jamestown man will admit that it was his interest to keep the capital at Bismarck in case Jamestown could not get it and that was the exact situation. A vote against Bismarck is simply a vote to send the seat of government into the Red River valley—a vote to destroy the interests and the development of the western two-thirds of the state—a vote to abandon a quarter of a million dollars worth of state property and saddle the expense onto the tax-payers—a vote not for the people but in the interest of capital and town-lot speculators—a vote against public policy and entirely against the local interests of both Jamestown and Bismarck.

The plan adopted in the constitution for raising revenue cannot possibly meet the current expenses of the new state. Let us particularize. The tax received from counties in North Dakota under the last assessment was \$156,000. This was under a rate of three mills, the limit now allowed by law. The article adopted by the convention extends the limit to four mills. Even granting that it is policy to

place another mill on top of the limit now existing, the amount realized will only be a few thousand dollars more. Under the plan for taxation of railroads, the revenue received by the territory will be as follows as near as can be approximated—certainly not more:

From two million acres of land assessed at \$2 per acre..... \$4,000,000  
1,842 miles of railway at an average rate of \$5,000 per mile \$9,210,000 at 4 mills..... 36,840  
Farm insurance..... 10,000  
Telegraph and telephones..... 5,000  
A possible poll tax which the legislature may provide..... 60,000  
From Counties..... 156,000  
Total..... \$28,340,000

It is safe to say that these are the very highest amounts which can be realized from the various sources of taxation provided. Much of the land west of the Missouri would be assessed at less than one dollar per acre, while scarcely any of it anywhere except in the immediate vicinity of towns would be assessed at more than two.

Now, what expense must be provided for in the next year?

The following are regular appropriations made last winter when the treasury was empty, and an effort was made to keep all appropriations down to the lowest possible amount:

For agricultural board..... \$5,000  
Univer. current expenses..... 25,000  
Penitentiary expenses..... 30,000  
Insane expenses..... 57,300  
The current expenses of government such as transportation of convicts and insane, returning fugitives from justice, per diem of regents, trustees, etc., mileage of public officers, expenses of board, boards of health, farmers' institutes, railroad commission, etc., etc..... 75,000  
This is placed at the very lowest estimate, and the utmost economy would have to be used to bring it down to these figures:

Then there is now regularly appropriated \$20,000 for North Dakota's share of the militia fund..... \$9,000  
Also adjutant general's fund (half)..... 2,000  
Then follows the expenses provided for by the convention:

Legislative 60 days..... \$100,000  
(It will cost \$120,000 if its sessions last three months at the rate of expenditure of the present convention.)  
Salaries of public officers, viz.:  
1 Governor..... 12,000  
9 State judges at \$2,000..... 18,000  
1 Attorney general..... 1,000  
11 State officers at \$2,000..... 22,000  
1 Secretary to railroad commission..... 25,000  
Add to this interest on bonds..... 25,000  
Expense of constitutional convention in excess of appropriation..... 20,000  
And we have a grand total of..... \$393,200

It is plain from this showing that some plan must be devised either for increasing the revenue to the territory or decreasing expense, or we must go into debt to run the government.

In speaking of the governorship situation the Fargo Republican, the organ of the farmers in Cass county and one of the most influential papers in the Red River valley says:

The Republican believes Cass county should be recognized with the first place on the new state ticket and that such recognition is substantially conceded. It believes that General Allen is the choice of a large majority of the republicans over any man who has been named as a candidate from this county. It believes, and has reason to believe, that if nominated and elected he will act fairly and in the best interests of the new state and of the republican party, and will neither countenance, encourage or recognize any of the disturbing and destroying element against which the Republican has fought so successfully. Should General Allen be nominated and elected the Republican expects a clean, creditable administration. It expects the same from any other republican who may be chosen to occupy the gubernatorial office. The republican party cannot afford any other. While a few office seeking politicians are handing out the threat that the Farmers' Alliance will nominate an independent ticket, it may be taken as a matter of fact that they will do nothing of the sort. The majority of North Dakota's farmers are Republicans who will work for the interests of the Alliance—but they will not go outside their party to do it.

Mandan Pioneer: "The section adopted by the constitutional convention providing that after the constitution goes into effect, all county officers shall be paid by fees only, is a startling one. It will cause a shaking up among the trees of the forest. Treasurers, sheriffs—all to be paid by salaries, and the salaries fixed by the legislature. Counties are to be classified, and all counties with a population of a certain number will pay their officers the same salary. It was somewhat remarkable—the way this passed the convention. It had not been referred to any committee and was not reported by any committee. But there seemed to be practically no opposition."

ABOUT the wildest scheme yet proposed is that urged by the Jamestown citizens—that they be given the temporary seat of government. What excuse would any delegate have to offer for voting to abandon a capitol building and put the state to the expense of hiring a hall somewhere for the legislature to sit in? It is too preposterous. Of course the object is purely selfish, not statesmanship. The Jamestown boys do not hesitate to say it is a question of dollars and cents with them, and that all they want is to sell their town lots.

THE St. Paul Dispatch contains the following strong editorial on "capital location" and the decision of the constitutional convention:

Our brethren at Grand Forks are in something of a frame of mind over the location of the capital of the state of North Dakota at Bismarck. Of course, in the estimation of the many citizens of Grand Forks, there never was a more mendacious exhibition of public villainy and turpitude. Corruption reigned supreme, because in no other way could that convention have determined on locating the capital elsewhere than at Grand Forks!

The protest signed by "one hundred of the leading citizens" of Grand Forks and addressed to the president of the convention is on its face as indecent and gross an attack upon the integrity of the North Dakota convention as has ever been ventured upon by any body of any representative character or dignity whatever. It will remain on record as a grand illustration of the lengths of injustice and slander to which individual greed of local bigotry or a combination of both may lead men. Un-

less those "one hundred leading citizens" are in a position to verify the charges which they apparently have not the courage to make directly, that the convention has been bribed into selecting Bismarck, then the proper place for them is the inside of a jail. We should be glad to hear of that convention having the power and exercising it to the fullest limit of bringing those leading citizens up to its own bar and compelling them to either prove their assertion or swallow it in the privacy of the local "jug."

What seems to disturb those gentlemen more particularly is the permanent location of the capital at all. They would have that matter decided, we suppose, periodically through medium of the legislature. In other words they would invite the periodical recurrence of the same corruption which they now deprecate. The people of St. Paul know what is signified by such a proposal. At each successive session of the legislature a body of real estate boomers—all of them leading citizens—would in an appearance demanding the appointment of a committee to select the permanent location of the capital, with special reference to the superior claims of the great and growing city of Mudville! And so it would go on; and so it has gone on with us here these many years, for the reason that to satisfy a growing minority the language of the state constitution of Minnesota was framed so as to convey the idea that the capital might go elsewhere than St. Paul in the future.

Grand Forks may be entitled to be the capital of North Dakota. There may have been a great mistake made in the selection; but if the convention finally decides upon Bismarck the decision ought to be, and will be, promptly acquiesced in as readily by the residents of Grand Forks as any other point. In this lies the strength and popular identity of the American plan of government.

## COME OFF!

Let it be understood that a majority of the convention are not on the defensive in the matter of locating public institutions. They are in the aggressive. In guarding the people's interests, saving the public property and starting the state off on a solid basis, with a good constitution, they are beset on every hand by representatives of town-lot syndicates and bankers—all wanting to put the capital on wheels, that they may swell their own plethoric purposes at the expense of the people. These gentlemen do not deny, in fact they openly assert, that all they care about the matter is that if they can get the capital temporarily located somewhere, or on wheels, there's big money in it for them. What care they for the public welfare? Jamestown stands in the most ridiculous light. She wants the temporary capital. She does not, nor never did stand the ghost of a show for it. The idea of abandoning a quarter of a million dollars worth of state property just to benefit Banker Lloyd and a few realty holders, is one that could have had its conception in no other than a city where the feeble-minded are provided for. In urging this matter the gentlemen from the city on the Jim are doing their representatives a great injustice. They are forcing them to vote for a proposition against their good judgment, against public policy and against the true interests of Jamestown. The flirtation of Grand Forks with Jamestown is woefully deceptive, as the coy gentleman with the black stubble beard from Jamestown will soon discover. Instead of getting up indignation meetings and roasting their delegates, and then coming to Bismarck to force them to do what their judgment tells them is not right, these ambitious land-owners ought to be at home sending congratulations to their delegates for the good work they have done. It has come to a pretty pass when town-lot jobbers attempt to create public sentiment against the considerate and wise conclusions of the honorable body now in the last hours of its deliberations. But the schemes of those wily workers will not prevail. The article locating the public institutions will stand. The people will be saved the loss of their capitol building already built and paid for. They will be saved the curse of "capital on wheels," now tearing the state of South Dakota asunder. They will be relieved of the biennial scramble in the legislature for the location of public institutions and the logging and corruption incident thereto. The state will not be so rich that it can afford to throw to the four winds \$250,000. The taxpayers of this commonwealth to the jobbers in town lots now in the city cry out: "Come off!"

## THE PUBLIC INSTITUTIONS.

Those who favor fixing the location of the public institutions in the Constitution may, for a time, be misrepresented and misunderstood; and disappointed men or localities may voice the cry of corruption, but those who think will see that wise action has been taken. The people will not long condemn those who have done only what they considered to be their duty, especially if they consider the demoralizing influences that would have been carried into the legislature had these questions been left open. An unlimited number of public institutions, endowed by 700,000 acres of land, and two United States senators to elect are elements that would have entered into the consideration of every important question coming before that legislature. There are railway and warehouse laws to enact, amend or repeal, usury and liquor laws to be considered, and votes for the location of public institutions would have been given in exchange for votes on these and other questions dear to the agricultural interests of the state. Some ambitious village boasting of its wealth and squander and ambitious rustlers, could come in with its plea for the agricultural college, offering the capital as well as cash in exchange for votes, and by a judicious distribution of other advantages multiply institutions and increase the public debt by millions perhaps. Would the railroads refuse to help the scheme along if ex-

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## THE CONVENTION.

Everything Quiet at the Capitol Opening to the Vacation of the Convention.

Items of Local Interest Gathered In By The Tribune's Staff of Gleaners.

Social, Commercial, Political and Personal Straws of Interest to Readers at Home.

Thirty-Sixth Day.

(From Friday's Daily.)

After reading and adopting the journal, Mr. Parsons moved to adopt file 144 as a whole. This file is the report of the Committee on "Apportionment," and was so adopted.

Mr. Camp moved that the Convention go into Committee of the Whole, which was agreed to, and Mr. Harris called to the chair.

File 145, a report of the "Joint Committee on Division of Territorial Property" was taken up, and on motion of Mr. Noble was referred to Committee on Revision.

File 130 the original report of the committee on school and public lands and file 138, a substitute report on sections 8, 9 and 11 of file 130, were considered jointly, and the first six sections, after correcting some errors and phraseology, were adopted.

Section 7, designating the amount of land to be sold and the manner of sale, to any one person was moderately discussed. The report of the committee reads: "Not less than 160 acres be sold to any one person." Some members favored a limit from 40 acres to one section.

Mr. Johnson moved to amend section 7 by substituting "one quarter section," for "160 acres," which was agreed to and the section was adopted.

Section 5 provides for the leasing of school lands for "pasturage and meadow," which provision stands and the section was adopted.

Mr. Camp moved that the committee do now arise.

Opposed to Mr. Appleton moved that the convention adjourn to one week from to-morrow.

Mr. Camp moved to adjourn till 8 p. m. The latter motion prevailed.

EVENING SESSION.

Mr. Parsons offered an article on arbitration between corporations and employees to be incorporated as a part of the constitution, and moved its adoption.

Mr. Bean moved to lay it on the table, which prevailed by a vote of 89 to 81.

Mr. Lauder offered a similar article to that of Mr. Parsons, with the difference that the legislature be empowered to provide for arbitration between employer and employee.

Mr. Stevens said the ground was already covered by an article adopted.

Mr. Parsons offered the article of Mr. Lauder, and intimated that the vote by which his article was tabled would be heard from through the state.

Mr. Stevens moved to lay Mr. Lauder's proposed article on the table, as it looked like a catch penny.

Mr. Selby thought the threat conveyed by Mr. Parsons concerning those who voted to lay his proposed article on the table ill-timed and out of place.

Mr. Parsons said he did not intimidate anybody, and he thanked those who stood by his question.

Mr. Stevens's motion to lay Mr. Lauder's article on the table carried by a vote of thirty-nine to thirty.

Mr. Parsons offered a proposed article to be incorporated in the constitution, at the request of Major Powell of the senate committee on irrigation. It reads: "The ownership of all flowing streams and water ways shall forever remain in the state. It was referred to the committee on revision."

Mr. McHugh moved that when the convention adjourned, it shall be to next Tuesday at 2 o'clock p. m.

Mr. Lauder favored an adjournment to the 25th.

Mr. Miller said Tuesday was long enough, as a convention was to meet in Fargo on the 21st, and it would be well for the members of that convention to know just what state officers were to be nominated, hence the constitution should be adopted before that time.

Several motions to adjourn were voted down.

The committee on schedule were instructed to revise the constitution on revision to-morrow morning at 10 o'clock.

The committee on revision were authorized to have printed a sufficient number of its report to supply the convention.

Adjourned to next Tuesday at 2 p. m.

## THE ARENA.

IN THE TWILIGHT.

The constitution is completed. The session is about ended. It passed the noon hour many days ago, and although apparently in perdition Wednesday, yesterday's proceedings gave proof of the approaching twilight in which the last of the work must be done, for when once the endless night that comes with the hour of adjournment falls upon the constitutional convention, then it is too late for the delegates to toll in the exalted field of state-making. The little ripple of excitement occasioned by the discussion of the article locating the capital and other public institutions has about subsided; the orators loomed up yesterday, hoarse, weary and indifferent, there was an air of "goneness" and ennui or other foreign substance about the convention, that gave evidence of complete relaxation and reminded the friends who are watching its last moments, that death was near at hand.

There was no sparring—no plunging and very little activity. The report of the committee on legislative apportionment was adopted without amendment, and now each county knows how much of senatorial and representative greatness it will possess for distribution among its ambitious sons.

At last night's session the convention considered the last of the proposed articles remaining on the clerk's desk, listened to a thundering appeal on behalf of the down-trodden laboring man, by Parsons of Morton; heard the suave and winsome Lauder of Richland give the laborer a boost, and heard charges of inconsistency and insincerity, until it looked as though the extinguished fire of the convention had sprung into its second life. But it did not last. The material having been exhausted, the orators succumbed and the convention adjourned until Tuesday next, when the committee on revision will report.

THE BLUFFERS SHOWED THEIR HANDS.

And it came to pass that the statesmen a scheme concocted, that if they were defeated in their plans to put wheels on the capitol, telegrams shouldst pour in upon

the scribes and pharisees in the tabernacle, demanding that the wheels be attached.

And the wires would be kept hot, and "the people" wouldst howl and vengeance be sworn upon the heads of those who entered not the scheme.

And the deal worketh, for telegrams poured in from all quarters of Bismarck, where the delegates playeth the telegram act.

And the indignation factories in the rooms of the defeated plotters runneth double time that their appearance no shortage in the "telegraph" crop.

And the "people smile and exclaimeth: "Verily this is an old-time bluff," and the man who bluffeth and is caught, loseth the game.

SOMETHING WRONG.

The delegates had seen the irrepressible Bell leap upon the necks of several members, and when on Wednesday he jumped upon the convention everyone prepared for the worst. Fortunately there were no fatalities or serious injuries, and the disappointment of Mr. Bell was great. He discovered upon examination that someone had removed the spikes from his shoes.

WHAT'S THE MATTER WITH RED?

The clerk was reading the bill in the committee room, preparatory to making a report to the convention. When he came to the clause which says that "this section shall remain inviolate," a watchful member of the committee arose and said in the most impressive manner:

"Mr. Chairman: I've heard a good deal about this article remaining in violet; now I don't think such a provision should be made in our constitution. In the first place, there might be a shortage of violet ink sometime in the future, and it would prove expensive, and furthermore there are large numbers of our citizens who prefer black."

HIS BUSY DAY.

"I wish you would lock the door, Bennett," said the industrious Matthews of Grand Forks county, "so that visitors can't come in for an hour."

They were in Mr. Matthews's room, the gallant representative of bonanza farms and capital candidates was writing with much earnestness great beads of perspiration standing upon his classic brow. As he was about to sign a bill, he exclaimed "there!" and turning to Bennett said "How will this do?" reading the following:

GRAND FORKS, N. D., Aug. 8, '89.

To J. H. Matthews, Bismarck, N. D.

We protest emphatically against the scheme to locate the public buildings by constitutional provision. Oppose the nefarious proposition to the bitter end. We will send a delegation of five thousand citizens to Bismarck to see the people from this terrible, damnable, and far-reaching outrage.

Signed Geo. W. Winslip, T. A. Titus, "Pro Bono Publico," "Justitia," "A Voter," "Constant Reader," and many others.

"There, it is done! How will they like it?" asked Matthews of his spirited Bismarck colleague. "How will that sound when read to the convention?"

"Well," replied Bennett enthusiastically, "ye've got the devil's own Matthews, and ye've done well. I could not see my friends (messes), but I think I would make the number of the delegation that's coming from the Forks one thousand instead of five thousand, as it will sound more reasonable."

The amendment was adopted and Matthews thus armed with the positive instructions of his constituents leaned back in his easy chair and puffed at his cigar with enviable contentment.

ANOTHER KICK.

The following telegram was received last evening:

Chief Fancher: I see my friends Winslip of Grand Forks and Lloyd of Jamestown; better known as "The Man-Who-Kicks-in-His Sleep" and "The Man-Who-Don't-Know-When-He's-Got-Enough" are heap mad because the big constitution makes my heart glad to see my friends stand by me. I am much busy now kicking against the opening of the Sioux reservation; I am whooping it up very fast on the reservation and hope to scare the Great Father so he can't hold out for it any longer. It makes me glad to hear that one hundred of my friends, the kickers, also go from Jamestown to Bismarck to pound the tom-toms and raise—oh, what you can raise—him h—l. Tell them to come along. I will meet them at Bismarck and will take their other friends, Mad Bull, Big Head, Crow-That-Flies-High-in-His-Mind, Eagle-That-Scares-if-He-Can and The Man-Who-Don't-Know-When-He's-Got-Enough. I am against the constitution, and unless we change it I don't believe it will get a vote on the reservation. Read this to him big convention.

Yours For War,

SITTING BULL.

JAMESTOWN BOARS.

The constitutional convention made very little noise in Bismarck yesterday, but it was heard from at Jamestown. It is said that last evening's meeting of the convention at Jamestown was the most thrilling and exciting in the history of the territory, and that while a very few of the delegates were present, the discussion which was indulged in by the lobby, gallery and third house in general was rare and novel.

Just what the noise was all about it is difficult to understand, but the fact that Jamestown once had a dream that she would be the capital of North Dakota, is a partial explanation. A few of the politicians took to the streets and the dream of the convention assembled in Bismarck, whispered into the ears of the credulous citizens that if their delegates would do their duty the seat of the government would be removed to the metropolis of the valley of the Jim. When the question came up for vote, Jamestown received nineteen votes out of the seventy and nearly all of these were the votes of men who would never seriously think of locating the capital at that place. And yet the politicians of Jamestown got up an indignation meeting, which they held last night, for the purpose of killing off Messrs. Fancher, Blewett and Camp, and thus leaving the way clear for them to sail into nomination for the state ticket.

At first it was thought they were indignant because Jamestown did not receive more than nineteen votes, but it was discovered that their indignation was aroused not make a majority of seventy-five, adding three to nineteen. However, this may be, Messrs. Nickes and Glaspell got up an indignation meeting that they might have an opportunity to indulge in transparent, brass bands and blood in their eyes, paraded the streets. The reports from Jamestown do not show that the efforts of the political aspirants met with any brilliant success and it be- comes to look as though they know more about boomerangs than ever before.

A STRANGE PHENOMENON.

JAMESTOWN, N. D., Aug. 9.—A strange phenomenon struck this town at about seven o'clock this evening. A citizen was leaning against a telegraph pole when suddenly the pole became ignited. A few moments later a man named Glaspell inadvertently touched a frame building and the building was consumed in flames before the fire department could reach the scene of the conflagration. The phenomenon puzzles the most scientific. Johnson

Nickes was standing on a street corner discussing politics when the back of his collar burst forth. In a blaze, and the fore arm of a stranger who shook hands with him later in the evening is so badly burned that it is feared amputation will be necessary. It was also noted that when a Jamestown man was talking hard—a stream of fire shoots into the air and visitors are at a loss to know what they are all so hot about.

A LATER REPORT.

The following telegram from an Eastern man who arrived in Jamestown last evening adds another mystery to the peculiar state of affairs in that town last night.

JAMESTOWN, N. D., August 9.—I had a narrow escape from an awful fate this evening and am now hiding in a lumber pile where I will remain until the arrival of the next train. I was walking down the main street when I was suddenly surrounded by a crowd of howling maniacs, who paraded as if they were crazy. They asked me a delegate in the constitutional convention? "What county are you from?" and "Oh what a damnable outrage." Then they rushed down the street, some carrying trans- cendental beams and others carrying a hammer and a saw, and all gathered in a hall where they looked wild-eyed and howled. I cannot understand it, but I learn that an insane asylum is located here, and I fear that all have escaped. Some go about gnashing their teeth, others imagine they are orators, and with the most frantic gesticulations shout and roar; many rush through the streets crying, "Capital! Capital!" and nearly all of them labor under the delusion that some great calamity has befallen the country. It is a sad sight and I do not understand why these asylums are not more carefully guarded.

THE DISAPPOINTED ANTAGONIZER.

"What do you think of the Jamestown meeting?" was asked of a wild-eyed antagonist who came in from the east yesterday.

"It was a fizzle. They started out right, but they lost their grip as soon as Fancher, Camp, and Blewett appeared on the scene. I like a fight. I came from a race of fighters. I like to see blood, and would consider this new state of North Dakota a dismal failure if it should adopt a constitution without a fight. What you want is notoriety. No matter how you get it you ought to have it. The Jamestown fellows who got up the indignation meeting suited me at first to a T. They had such an excellent opportunity I thought it would be a great success. Think of it? Jamestown beaten out of the capital! Betrayed by her representatives—certainly. No town ever lost anything in a legislature or convention that she was not betrayed by her representatives. Every man who owned a lot in the town was an easy subject for the agitators to work upon; they could show him how help personally had been defrauded of from \$100 to \$1,000; a little further on they could convince him that the whole deal was a personal matter; that he was the man they were after, and that it was a villainous plot to rob him of the legitimate profits of his investments and leave him a hopeless bankrupt. See? Oh, it was a glorious opportunity for a magnificent row and I indeed enjoyed it. I expected to see Fancher, Blewett and Camp placed in the mouth of a cannon and blown into Canada; their effigies burned in the public street while the indignation meeting was in session; the ear of miles about the politicians deliver incendiary speeches until the prairie transformed into one grand inextinguishable conflagration."

"This," said the antagonist, "is what I ought to have been done to give the agitators political prestige, prove them to be thoroughbred antagonizers and eventually elevate them to a prominence where they, too, would be entitled to indignation meetings. But they were not. They were burning effigies surrounded by the delighted multitude. But I was disappointed. I suffered the pain of seeing the meeting transformed into a love feast; the delegates applauded instead of shot, and the alleged patriots without ability or genius, and the men whose funerals I confidently hoped to attend before sunrise."

"Bah!" Talk about your antagonizers. I have met but two in Dakota—one is Dennis Hannifin and the other is sitting Bull. They are the only two in the territory who when Senator Glaspell, General Nickes and Monte Cristo Lloyd attempted to compete with them for the honors, they prove themselves to be imitators and plagiarists without ability or genius."

"Yes, sir, I am a fighter. I like the color of blood; I gloat on protests with dynamite in their preambles and nitro glycerine in their boots; seething denunciations are choice morsels for my palate, and indignation meetings are my meat and drink. The town article was not genuine and I left in disgust. I will now go to the Sioux reservation in the hope of finding some thoroughbreds."

And with a scowl of contempt on his weather-beaten face the disappointed antagonist departed.

AN UNPARDONABLE OVERSIGHT.

The Grand Forks Herald reporter had written up interviews with leading citizens on the action of the conventions in locating the public institutions without giving the capital to Grand Forks. Having finished the red hot introduction he submitted his work to Editor-in-Chief Winslip, who glanced over the manuscript and exclaimed:

"Rot! Mere rot!"

"What's the matter?" queried the crest-fallen reporter, who thought he had written a first-class roast.

"Rot," said he, "sir, you haven't used the word 'nefarious' once in this whole article. I got onto that word over five years ago, and I want it distinctly understood that no article of censure can be considered complete without the appearance of 'nefarious' at least three times to the column."

AFTER THE MEETING.

It was in the lobby of the Gladstone hotel the evening of the indignation meeting, which had been called for the purpose of indignant against Messrs. Fancher, Camp and Blewett. The meeting had adjourned and an old Yankee who had attended was asked what he thought of the meeting.

"Well," said he, "there wa'n't any indignant men ez I could see with the exception of three fellows who cum in from Bismarck and their names wuz Fancher, Camp and Blewett."

SECURE SEATS EARLY.

Hark! What sounds are these that come rolling in from the frowning east like the muttering of distant thunder? Prithes m' good man they be the snorts of the gentlemen from Grand Forks and Jamestown. They are the echoes of indignation meetings in towns who would have the earth and howl because the fullness thereof does not roll within their lap. It has been quiet in Bismarck several days, but there will be no complaint because of excessive silence during the remainder of the week. A blissful harmony has prevailed in the capital city, but if the gentlemen who own corner lots in Jamestown and Grand Forks do not lose their voice before they arrive peace

will not trouble the mind of Dennis Hannifin or any one else in the capital for at least a week. The report of the meeting at Grand Forks shows that the citizens of that prosperous city will never suffer from modesty and leads to the impression that when they reach Bismarck they will go gallivanting through the city quivering in one hand and a solar system will be knocked out of plumb and the startled stars will go tumbling down the sidereal back stairs in a shapeless mass of twinkling chaos. The Jamestown whoop will also prance around the auricular lobes of the assembled hosts and the constitution makers will be entertained from early morn till morpheus commands them. Oh, there will be fun. No ordinary circus, no tame and listless side show, but a grand and peering fire, aggregation of ground and lofty tumblers, bare-back riders, men who can ride a dozen horses at a time and defy the audience to make the discovery, acrobats, contortionists and a world of wonders. We can see the parade as it strikes up Sixth street, the capitol, with Lloyd of Jamestown perched on top of the cage of trick monkeys, Senator Glaspell leading the dromedary, and Winslip of Grand Forks, standing defiantly the cage of stuffed lions with a glistening sword in one hand and a ham sandwich in the other, the personification of a contented warrior. And when they arrive at the capitol we can hear the circus orator shouting: "P-a-w-s in ladies' show on earth; the highest living kickers in captivity; the iron-jawed man from the wilds of the Minnesota border; unrivaled contortionists; boneless wonders; eye-deceiving magicians, and a hand of fire along, who eat coal and peering fire, balls of burning brimstone, breathe leaping flames, spit blazes blue, and draw hot iron across their natural tongues!"

Yes, it will be a circus, and a circus is always loved. Let them come with all their attractions and accomplishments. They are not to blame for they are human, man is selfish and they have corner lots for sale.

A MISTAKE SOMEWHERE.

Attorney-General Nickes has evidently been misjudged. When it was learned that an indignation meeting had been called at Jamestown to protest against the location of the capital at Bismarck, it was also intimated that Mr. Nickes was among the moving spirits. A little investigation made it seem that there could be no doubt but that he was one of the instigators. Mr. Nickes arrived in Bismarck yesterday, and was accosted by a Bismarck friend.

Bismarck.—Good afternoon, Mr. Nickes: I was very much surprised to learn that you were one of the instigators of the indignation meeting in Jamestown.

Nickes.—[Surprised].—Why, my dear sir, you are talking in riddles. I had nothing to do with any meeting. To what meeting do you refer?

Bis.—Did you not assist in getting up a meeting in Jamestown?

Nickes.—[In great surprise].—I don't quite catch your meaning. You must be a little more explicit.

Bis.—Wasn't there an indignation meeting in Jamestown, Friday night?

Nickes.—[Reflecting].—I don't believe there was a meeting. I don't write me this [striking his forehead with his index finger and sinking into deep meditation]. Oh yes, I remember that there was some kind of a meeting in Jamestown Friday night.

Bis.—Wasn't it an indignation meeting?

Nickes.—[Dumfounded].—A what?

Bis.—An indignation meeting!

Nickes.—[Lost in profound study].—Well, well! Of course, I can readily see that you have heard of some meeting or other in Jamestown, and as I was there I ought to be able to give you information. But the fact is I took such little interest in it, and was so oblivious of what was going on that I cannot answer. I will write to a friend in Jamestown to-night, and request him to get the particulars and send them to me by mail.

UNFAIR TREATMENT.

A writer in the Grand Forks Plaindealer says that Grand Forks and "the people" were defeated in the fight for the location of the capital through lack of a competent leader. We protest that flings of this character at Mr. Matthews are unjust, unfair and unkind. Mr. Matthews must admit that with all that has been said of him by his opponents, this is "the most unkindest cut of all."

OH DEATH, WHERE IS THY STING?

Lying flat on his back and kicking at the stars, Tracy Banks of Grand Forks exclaimed: "We must kill this scheme for the location of the capital now, kill it at the polls, or die ourselves." Mr. Bangs need not be alarmed. If he will remain quietly and peaceably at home he will never get so near the capitol that it can rear up on its hind legs and jump on him. We will admit that there is nothing in the constitution to prevent a man from talking himself to death, and there is a suspicion that the omission is no serious mistake.

PROTECT HIM.

Our estimable friend, the serious and impulsive Judge Bennett of Grand Forks, announced while at home Friday, that while in Bismarck he and his friends have been surrounded by the most corrupt gang of schemers "in the history of the world."

The judge has evidently had a pretty serious time of it. We will admit that he was a long ways from home, but in these days of protection, when hotel keepers put up the sign, "Do not blow out the gas," and policemen are employed to see that no one gets lost, it is not surprising that he should have had respect for Judge Bennett, and believing that he should be given every assurance of safety, we call upon all public spirited citizens to surround him by day and guard him by night, that he may not be kidnapped by the gang.

Scattering Shots.

The Grand Forks people laud Bartlett of Griggs, and Purcell of Wahpeton for their opposition to the article in the constitution locating the public institutions, and their high moral ground.

The amusing feature of this whole farce is that Grand Forks admits that she wants the capital, and the people are wondering what Grand Forks would say of Purcell and Bartlett, if the article located the capital at that point.

It is said that Johnson Nickes, of Jamestown, has been telling the people of that city that when he was in Bismarck he worked might and main to defeat the plan for the location of the capital at Bismarck and to secure the seat of government at Jamestown. If this is true, we are not surprised at his indignation, for no one has been able to discover the results of his labor.

CHIEF CLERK HAMILTON has been aiding in the clerical work of the committee on revision and the cheerful spirit with which he enters upon the duties may be accounted for by the fact that Johnson, of Lakota, is out of town. If Mr. Johnson's business should prevent his return to Bismarck, or if he should be called presently from Dakota, we apprehend that Maj. Hamilton would not suffer a fit of melancholia.

GET OUT YOUR OLD SPEECHES. The constitution is about completed and it will soon be necessary to insert the words "now that Dakota is" before many of the old familiar sentences, such as "we member of the old hood states," and in other ways revise the

old campaign efforts. Come to think of it, why not have all the old speeches referred to the committee on revision, that they may be reported back with the constitution in proper form.

The autograph albums began to circulate in the convention yesterday, and those who had doubted that the convention was nearing the close, gave in. It is a noticeable fact that no body of men have been able to retain a quorum many days after the appearance of the autograph hand.

The committee on revision remains in the city and as on that committee are some of the most accomplished antagonizers in the body, it may not be so dull during the convention's vacation, after all.

It is confidently expected that before the delegates return to Bismarck Tuesday next a new tint will appear in the political sky.

Quiet at the Capitol.

It was quiet at the capitol yesterday. The convention hall was as vacant as any banquet hall deserted, and the only evidences of life in the building were the clicking of the calligraph and the hum of quiet conversation in the rooms of the busy territorial officers. The committee on revision held a meeting in Judge Hall's office and labored on the disconnected constitution, which was submitted to them, and that they will be ready to report a complete, perfectly adjusted and closely knitted document to the convention on Tuesday next, there is no doubt.

With the exception of the members of the committee on revision, very few of the delegates remained in the city, most of them having away to visit their constituents, and enjoy the rest and solace of their homes.

Slaughter Items.

Slaughter, although but twenty-five miles north-east of Bismarck, yet lies many feet higher than the capital city, and in a different geological formation. To this cause may be attributed our cooler air and moister soil, which insure us excellent crops even in the driest seasons, although the fact that our farmers believe in and practice deep plowing, and though irrigation must also be taken into account when our exceptional success in the matter of grain raising is considered.

Our school teacher, Mrs. Linda W. Slaughter, who is superintendent of press-work for the Dakota Women's Christian Temperance Union, has sent out a circular letter of instructions to the local superintendents of presswork throughout the territory for their guidance the coming campaign.

The little daughter of Mr. Engstrom, who died Saturday of scarlet fever, was buried on Monday in the new cemetery.

Mr. O. Frankland, of the Frankland House, Bismarck, owns one of the finest farms in this section.

Mr. Ole Andersen is enlarging his barn, to accommodate his increasing stock.

Mr. Fred Erickson is building an addition to his house.

Harvest is progressing with fine weather; crops first-class.

Outside Expressions.

Jamestown Alert: The influences that will keep the capital at its present location were more than enough to overcome all opposition. The Northern Pacific Railroad company desired the buildings to remain there for many reasons; the Aberdeen, Bismarck & Northwestern company worked for the same end. The claim, as a town and as a community of citizens, which Bismarck presented for retaining the capital, were, as all candid persons must admit, strong in their turn. Jamestown knows, however, that she has the best of all the institutions of the new state, the insane asylum.

Grand Forks Plaindealer: On the whole the committee has done well in its work, which was a most difficult one. Not every one could be satisfied, and there will be many who think Grand Forks should have been chosen as the seat of government. But everything comes to him who waits. The prosperity of our city is not to be determined by the location of state institutions. Every city named in the list is entitled to something, by virtue of location. If the appointment is not entirely satisfactory, so far as the institutions are concerned, it must be remembered that the committee having the location in charge would have been glad to have left the work to some other body.

Edgeley Mail: North Dakota is to be congratulated on the existing state of affairs. She has a bonded indebtedness of \$500,000, a little money in the treasury, a capitol costing over \$200,000 already built and 600 city lots to sell, while South Dakota has a bonded indebtedness of \$750,000, and a treasury of \$150,000, and no capitol building or town lots.

Sioux Falls Press: It has been the general impression that the opening of the Sioux reservation would be by presidential proclamation, but word from Washington is to the effect that it requires action of a session of congress to ratify the treaty just being signed. This will delay until another season any steps for settlement upon the reservation.

Mandan Pioneer: Delegate Ray, of Dickinson, has not had much to say in the convention, but those who have watched his votes have seen that his object seemed to be to look after the interest of his constituents. His votes have all been just right in the estimation of those who know where Western Dakota's interests lie.

Fargo Argus: Ought not Fargo to secure the school section adjoining the city for the agricultural college? The state should be induced to appropriate that and take another district for school purposes there.

Fargo Republican: Cass county will give Gen. Allen 2,500 majority for governor.

The Popular Bad Lands.

On Saturday last another "Bad Lands" party was organized, and a trip to the wonderland of western Dakota was inaugurated. The party consisted of Mr. and Mrs. Matthews of Larimore; Miss Meacham of Carrington; Miss Reynolds of Lamoure; Mrs. Cora E. Smith of Grand Forks and Mrs. Benjamin of Bismarck. The party was joined at Medora by Delegates Meacham and Noble. At Glendive they were invited to the cozy club rooms of that city, which have become famous throughout the west, and for several hours were given most royal entertainment.</

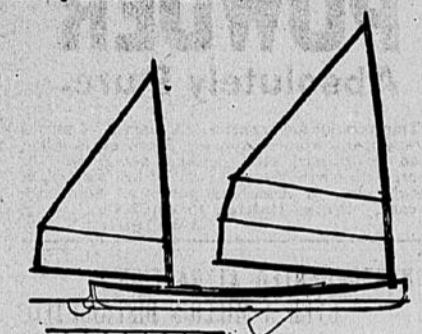
# ABOUT CANOEING.

## A Sport Which Is Becoming Popular with Women.

### SOME OF THE MOST POPULAR RIGS

Good and Bad Features of the Various Sail Arrangements—The Standing Lug, the Lateen, the Leg o' Mutton Sail, Sharpie Rig—Sail Plan of the Notus.

With every year canoeing grows in popularity. Almost every town of any consequence in the country which boasts a stream a foot or two deep has its canoe club now, or at least its group of two or three enthusiasts. The ladies, too, take to it kindly, and women's canoe clubs are by no means unheard of. One writer has given the following as an explanation of this:



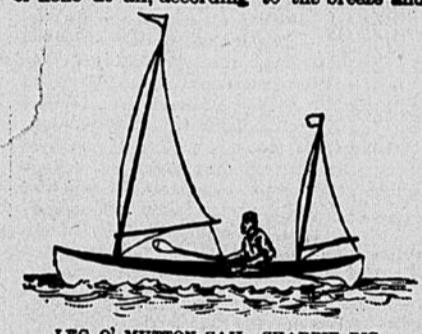
STANDING LUG.

"The canoe appeals to the aesthetic sensibilities; it is the most beautiful craft afloat. The canoe is adapted to the timid sex. It is the safest boat that ever took water. The canoe is suited to the less muscular bulk of woman; paddling is not fatiguing. The canoe gratifies the social instinct; canoeists are always good fellows, and there is not a single 'professional' in the ranks of the fraternity. The canoe has regard to feminine curiosity—though this mental virtue is of both sexes, and on the water you call it interest in the scenery—it goes frankly ahead instead of blindly backing up like a rowboat against the point of destination. The canoe, to anybody, man or woman, who cares for the water, gives more enjoyment to the square inch than any steaming or rowing or sailing craft devised."

### NOT DANGEROUS AND EASY TO HANDLE.

The modern canoe is an entirely practical thing for a woman to handle. To fit it completely to her use requires but few changes, and those readily made. As defined by the rules of the American Canoe Association, the canoe is a boat sharp at both ends, not more than thirty-six inches wide on deck and propelled by paddle or sails, but capable of being propelled efficiently by a double-bladed paddle. The open canoe is the lightest of cedar shells. The decked canoe may be long and narrow for a paddling racer, but for all around cruising use, and this comprises the great majority of all canoes built, it will not vary greatly from fourteen feet in length by thirty inches in width. Twenty-four inches and thirty-three inches are in actual use, the extremes of which the width given is the mean.

Such a canoe carries a centerboard or not according to the work for which she is designed. She has a well or cockpit for her solitary passenger, who is skipper and crew in one, which used to be three feet, but is now commonly 5 feet long by 18 or 20 inches wide. She has steering gear connected with the rudder lines under the fore deck just where the feet manipulate it conveniently, and also for hand use on the deck in cases where the crew is also ballast by hanging his toes out to windward in a breeze. The canoe has two masts and carries a cloud of canvas or none at all, according to the breeze and



LEG O' MUTTON SAIL, SHARPIE RIG.

the sailor's whim. She is never fitted with seats, but the skipper composes himself on a cushion, leaning against a swinging back-board that is the perfection of ease. In case the waves show any disposition to play practical jokes upon him he adjusts the hatches with which the cockpit is provided as water sheds about him, and doesn't ship a teaspoonful where an ocean boat might capsize.

### ONE WOMAN'S EXPERIENCE.

Mrs. Eliza Putnam Heaton, of Brooklyn, declares that the canoe she and her husband use is one of the most important and best loved members of the family. One summer they made a vacation trip from New York up the Hudson to Albany and back, taking advantage of every opportunity for roughing it.

An interviewer asked:

"What did you want? You surely didn't take a Sunday boat along with you?"

"I wore a blue flannel dress made in one piece, with a blouse waist, no drapery, the skirt reaching to the tops of a pair of extra high boots. It weighed a pound and a half. I wore a sailor hat, and carried a light jacket to be ready for changes of weather. Our canoe is rather small to be used as a tandem—it measures 14 feet by 30 inches—so that we could not have taken much luggage if we had wished. All that we carried weighed only about thirty pounds, and of this our photographic materials, plates, camera, etc., weighed between fifteen and twenty pounds."

"At night did you sleep on the ground and cover with your canoe, or go to a hotel?"

"We started with the intention of camping out every night, but unfortunately good camping places between here and Albany were not as numerous as they should be, and we sometimes had to stop at a hotel. But we did camp out about two-thirds of the time. We carried a small tent of sheeting, so that it would be of less weight than one of canvas, a blanket apiece, and a rubber blanket to spread on the ground."



LATEEN.

"And your commissary department. Surely you did not carry a large supply of kitchen utensils and provisions in that thirty pounds of baggage?"

"Oh, we had a tin pail apiece, and a tin cup; tin plate and a knife each, and a few

other primitive and strictly necessary articles. Then we carried a few canned meats, but not much in that line, as we expected to be able to buy most of what we should want at our camping places."

"What did you do when it rained? Didn't you frequently get drenched?"

"No, we had only one severe rain storm during the whole of our trip, and then we went ashore, stretched our tent, and enjoyed the storm in a wildly romantic spot at the northern end of Iona Island."

"You did not feel afraid tossing about in all that wind and water in such a tiny shell?"

"Not in the least. I knew the canoe, knew exactly how it would act, and I felt just as safe there as I would on dry land. If the persons in a canoe know how to handle it and are reasonably prudent in their actions there is absolutely no danger. If they only sit still in the bottom of the boat they can't overturn it. One day we went aboard a brick barge, and the astonishment of the men who ran the big clumsy thing showed over our tiny craft was quite amusing. They considered us miracles of courage because we were willing to go on the water in such a cockle shell, and were absolutely sure that we would be upset in less than half an hour. And as for me, they could hardly believe the evidence of their eyes that I had been aboard the canoe, and nothing could have convinced them that there was another woman on the face of the earth would venture in it on the water."

THE DIFFERENT RIGS.

There are about as many styles of canoes as there are breeds of horses, and every canoeist is positive that his particular boat is the best in existence.

The standing lug rig began to displace a rig known as "aliding gunter" about 1877 on account of its simplicity—one halliard and one sheet. The high mast is said to be about the only serious objection to the sail. In strong winds the jib and mizzen only are used. MacGregor used a standing lug and jib on his famous Rob Roy.

The lateen sail is probably the simplest sail ever used on a canoe. There is but one line to each sail—the sheet. A ring attached to the yard slips over a pin driven into the head of the mast. A few attached to the jibboom fits around the mast. The sail cannot be reefed in a satisfactory manner, and that is the one serious drawback to its general use. The lateen sail made its first appearance on canoes in this country in 1879 or 1880. The Cincinnati canoeists used it most successfully at their meet.

The leg o' mutton sail, sharpie rig, is of Canadian origin. Those of the New York canoe club who purchased Canadian canoes in 1878 and 1879 adopted the rig and introduced it into the States. It has gained considerable favor since, one reason undoubtedly being that there are but two lines to each sail—the halliard and the sheet. The sprit boom keeps the sail very flat, thus making it especially effective in windward work. The very high mast is a defect.

Accompanying this article is a cut of the sail plan of one of the most famous canoes in existence, the Notus, which was designed by Commodore Gibson.

The material is bleached muslin in one width, the edges being bound with wide tape. The battens fit in pockets in the usual manner. The spars are very light, the masts 2 in. square at deck, tapering to 1 1/2 in. diameter at head, the main boom 1 1/4 in. diameter, battens 1/2 in. thick. The dimensions of sails and spars are:

	Main	Mizzen
Mast, deck to head.....	13 9 6	4
Sail, on foot.....	9 0 6	2
Along first batten.....	8 4 6	6
Along second batten.....	8 4 6	6
Luff.....	18 9 10	8
Leech, total.....	14 7 11	8
Leech, above batten.....	10 9 6	6
Spacing of battens, fore end.....	1 11 11	11
Spacing of battens, after end.....	1 1/4 2 1/4	1/4
Area, square feet.....	69 0 39	0

The first reef leaves 52 feet in main and 38 feet in mizzen, the second reef leaves 35 feet in main. The mizzen can be stepped forward and a storm mizzen added. The luff of the main sail is reached 4 inches in 13 feet, and the luff of the mizzen in the same proportion. The usual reef gear is added. The sails are hoisted by halliards and lowered with down hauls, the attachment to the mast being by a lacing, as shown. This lacing is similar to the ordinary hammock or netting stitch, the loop or mesh loosening as soon as the halliard is cast off, but as the latter is hauled taut the meshes lengthen and draw the luff closely to the mast.

### Nothing but Baby Left.

The heaviest loser by the Kilrain-Sullivan prize fight lives in Louisville. He is a laborer, and he bet all the cash he had and two months' wages in advance on Kilrain. But that was not enough, and he was so confident of the Baltimorean's success that he finally put up his baby carriage on him. Now he has nothing but the baby left.—New York Sun.

### A Horse They Talk About.

Here is a cut of Haggin's colt Salvador, that took the big Lorillard stakes at Mon-



SALVADOR.

mouth Park not long ago. The sports are still talking of the peculiar circumstances attending the race.

### Renshaw's Defeats.

W. Renshaw, the tennis player, has been beaten in a match on level terms only four times: twice in 1880, when he vanquished W. F. Lawford and O. E. Woodhouse; once in 1888, when he succumbed to W. J. Hamilton at the championship meeting; and once this year when the same player defeated him at Dublin.

Minnie Palmer counts her pensioners by the tens. She is one of the most liberal women on the stage and spends her money for charitable work without regard to its value.

The French papers call Buffalo Bill "Gull-laudne de Buffalo."

Edwin Booth says it was once his ambition to be a circus rider.

## A BANQUET IN CHINA.

### AN AMUSING DESCRIPTION OF A CEREMONIOUS REPAST.

Sixty Different Dishes in One Course, and Several Courses—Painful Attempts at Music—Europeans Didn't Know How to Eat Decently—The Cooks Grateful.

The Chinese enjoy the distinction of being the greatest gourmands and most voracious eaters in the world, and this amusing account of their achievements at the table certainly goes to prove it.

A few days before our departure from Canton we found at our lodgings a visiting card, left by Mow-qua, a wealthy tea merchant, with an invitation to dine with him. The invitation was written upon a very thin sheet of red paper, much larger than those we use for a similar purpose. About half past 6 in the afternoon, accordingly, we repaired to the hospitable mansion of Mow-qua, preceded by a train of servants bearing immense lanterns, and by way of precaution we had taken care to stop our ears with cotton to avoid the terrible consequences of a sudden outbreak of Chinese music.

As soon as the guests had taken their seats, which were ranged in two long parallel lines, tea was served in large cups with flat saucers placed over them and set upon waiters of gold or silver. The Chinese and the Japanese, as we know, take their tea without milk or sugar. A few leaves are put into the cup and boiling water is poured upon them, after which the infusion remains long enough to steep and is then transferred to the saucers and swallowed while it is quite hot. The tea leaves are generally whole, so that the water is colored sufficiently without containing any sediment.

The musicians were stationed in an adjoining room, and among their number were several singers of celebrity. They played and sang almost without intermission during the whole affair. I was informed that it was Chinese opera, but certainly the music was far from agreeable. The Chinese themselves, however, appeared to pay very little attention to it, although when there was an interval of silence they would make an occasional observation or jest upon the words of the songs.

### EATING DESERT FIRST.

The banquet now began. We were conducted to another apartment, where several square tables with places for six persons, were so disposed as to form a semicircle. On the side towards the center, they remained unoccupied, but were entirely concealed by a scarlet cloth, with rich embroidery in gold and silver thread, representing the different flowers of the country. The host took his seat at the table in the middle of the group, and deputed one of his countrymen to do the honors at each of the others. In the front of every table was an array of baskets filled with fruit and flowers, and behind this appetizing display appeared a multitude of vases and tiny plates, containing sweetmeats, small tarts, mangoes, pyramids of candied oranges and plums and other delicacies. In short, the profuse variety of gastronomic riches did honor to the liberality of our host.

The Chinese never do anything in the European manner, and therefore we began with the dessert. Instead of plates three small cups were set in front of each guest. The one at our left contained soy, an aromatic sauce with which the natives season their food. That in the middle is used in the course of the repast, and upon the third is laid plain porridge, upon which soup is eaten. Two small sticks, rounded at one end, and made of ivory for the table of persons of wealth, were also provided for every guest. It is rather difficult for foreigners to manage these tiny utensils, although the Chinese handle them with great dexterity. One of our number, who understands their language, once heard the whispered remark: "Only look at these wretched Europeans! They do not even know how to eat decently!" A large package of paper sheets, cut in a triangular form and tied together with red ribbon, is laid near each plate, and these are used for wiping the hands instead of napkins.

In the beginning of the action Mow-qua courteously invited us to partake of the choicest dishes, and while we were eating he frequently called our attention to the fine flavor of a certain fruit or the rarity of a particular bird. The first course was dispatched and we were ready for fresh supplies.

Table cloths are never used in China, but the covering upon the tables was now carefully removed and another one substituted, upon which was placed a great variety of dishes. A small cup was also put before each person, for holding the samtschu, a strong liquor obtained from the fermentation of rice, and which takes the place of wine at Chinese entertainments. Servants passed from one to another of the guests, carrying large silver urns containing the samtschu in an efferescent state. I did not find this much vaunted beverage particularly refreshing, although there are several kinds varying in excellence, and one that I have tasted compares very favorably with brandy of medium quality.

### THE COOKS RETURN THANKS.

The Chinese are extremely polite to each other on festive occasions. Whenever they wish to drink they apportion to each other a liberty, at the same time wishing you good health and prosperity. Each one takes his cup in both hands and swallows the contents at a single draught. When he has finished he turns it up for the inspection of his neighbor, to show him that not a single drop remains in the cup. We were compelled to observe the same old custom for fear of being open to the charge of discourtesy.

After the second course, which included nearly sixty different dishes, the soups were brought in. These were served in small bowls set in the center of the table, and everybody helped himself from them with the porcelain spoon I have already mentioned. Tea and tobacco came in as intermediate luxuries, enabling us to collect our energies and return with renewed vigor to the charge.

Finally, when several other courses had made their appearance, each surpassing the one preceding in abundance, five new tables were ranged in the empty space opposite us. These were laden with roast meats, particularly pork, and with different kinds of birds. Ten cooks, dressed in showy uniforms, then entered the room, and began the work of carving. Two were assigned to each table, and performed their task with remarkable skill. Other servants handed to us, upon small plates, the slices of meat which they received from the carvers, and the work of eating went on vigorously.

At the end of the feast the cooks reappeared, and returned profound thanks to the company for the honor they had conferred upon them by partaking of their dishes. Every one then rose from the table. We had been seated there for six hours, and during this time hundreds of dishes had passed before us in succession.—Adapted from the French for The Philadelphia Times.

Leprosy is increasing in Russia. During the year forty-nine patients were treated in the St. Petersburg hospitals, half of whom were natives of the city. The Baltic provinces suffer most from the disease.

# GREAT BATTERS.

## How They Smash at Curves and Inshoots.

### FINE RECORD OF DAN BROUTHERS

Mike Kelly the Most Graceful Batter in the League—How Baby Anson Gained an Advantage by Taking His Pa's Advice—Roger Connor—Other Batters.

Less than a dozen men have attained the distinction of becoming great batters, says T. H. Murnane in The Boston Globe. It is very interesting to watch these men as they stand at the plate. Undoubtedly the greatest of all these is Adrian C. Anson, captain of the Chicago club. He has been on the field as a professional eighteen years, and was always among the leading batters of the country. He has led that leading organization several times, and has the best general average for ten years. Anson is a scientific batter and seldom strikes out. He is one of the best sacrifice hitters in the country, and can be counted on for a timely hit.

Until 1876 Anson caught his bat about six inches from the handle. His position at the plate was easy and natural; standing straight as a pine tree, with his right foot crossed on the heel of his left, he called for a high ball. Anson claimed that by taking hold of his bat up short he had better control of it when meeting the ball. After he joined the Chicago club in '76 his father, who is a great lover of the game and was a good player himself at the time the present captain was a schoolboy, advised his boy, as he still calls him, to take his club like a man and get the whole force of it on the ball. The advice was agreeable, and since then this great player has smashed away at curves and inshoots with his bat caught at the extreme end of the handle. Anson now faces the pitcher with his head close together, and is one of the best styled men at the bat in the League.

### CONOR.

Dan Brotherton of the Boston club, is considered by many the greatest slugger in the League. Dan goes to the bat to hit the ball, and few men can size up a pitcher as he can. He stands next to Anson on general average, and taking this season's average Dan is a shade ahead of the Chicago captain. Brotherton is a left hand batsman and his position at the bat is not as clean as Anson's. Dan gets close to the plate with his feet well apart, and so firm. Unlike Anson, who cracks the plate with his bat to see if it's sound, Dan keeps swinging his bat back and forth. It's a rare thing to see him let go and miss a ball, and as for striking out, it's something a pitcher is always proud of if he can accomplish it during a season. This man can hit a high or low ball, and will seldom let go at one out of his reach. Fielders never know how to play for him, as he is just as likely to hit to right as he is to left field. Like Anson, Brotherton would remain on the field all day hitting, if he could get some one to toss him the ball. He swings his body, and when he does catch the ball square no man can drive one farther.

CONOR.

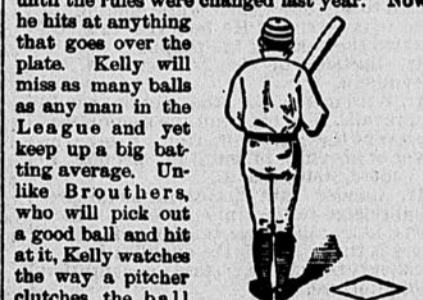
Roger Connor, the first baseman of the New York club, ranks with Anson and Brotherton, and like them, has led the League. Connor is a left hand batsman, but can turn around when against a left hand pitcher and hit successfully right handed. Connor is one of the sluggers of the League, and comes next to Brotherton as a player with a high general average.

Roger's position at the bat is something like Brotherton's, only that he bends his body over the plate and watches the pitcher much closer; his hitting is mostly to right field. He uses a very heavy bat, and like most heavy hitters loves to practice hitting pitched balls. The above named men hail from country towns, Anson from Marshalltown, Ia.; Brotherton from Wappinger Falls, N. Y., and Connor from Waterbury, Conn. All are over six feet in height and weigh between 210 and 220 pounds when in good playing condition. These men are all playing first base for their respective teams. Anson and Connor have made good records as third basemen. The value of these players comes from the fact that their hitting is not spasmodic. Day in and day out you will find these great batters cracking out singles and doubles just when most needed.

### KELLY.

When it was so a player could call for a high or low ball, Anson called for a high one, Brotherton and Connor for low ones. As shown in the cut, the prettiest position at the bat is taken by Mike Kelly, of the Boston, and is much the same as Anson's. This player has led the League one season at the bat, and for the last ten years has been among the leaders. Kelly bats altogether with his wrists, and hits a ball very easy. He can hit to either field, and invariably hits the ball on a line. He always called for a high ball until the rules were changed last year. Now he hits at anything that goes over the plate. Kelly will miss as many balls as any man in the League and yet keep up a big batting average. Unlike Brotherton, who will pick out a good ball and hit at it, Kelly watches the way a pitcher clutches the ball and tries to tell the ball, whether a curve or a shoot. If he guesses right he will come pretty near hitting the ball; if he makes a mistake he hits at the ball just the same. This accounts for the way he hits, often missing the ball by several feet. The young pitchers never know where to find Kelly, and if they try to pitch for him they will find him at times out of the box altogether. This is when he has a pitcher covered and wants to get his base on balls. He uses a heavy stick, well seasoned.

JIMMY RYAN, of the Chicago, who is a native of Clinton, Mass., is one of the very best of the young men in the League, who can hit any kind of pitching, high or low. Jim was No. 3 among League batters last season, Anson and Beckley getting in ahead of him. Ryan's position at the bat is easy and natural. He has a careless way of letting his club swing around over his shoulder; he takes hold with his hand close to the knob, and swings on a ball with full force. He is a hard man for a pitcher to deceive, as he can pull in a curve or crack out an inshoot. He stands at the bat something like Kelly and Anson, and can hit as hard, if not harder, than either of them, and yet he is a small man and weighs



MIKE KELLY.

but 150 pounds when in condition. Jimmy is full of confidence and loves to face the phenomenal twirlers, when he will smile and show his teeth and delight in cracking out home run drives over the fence.

### EWING.

William, better known as "Buck" Ewing, captain of the New York team, is one of the most scientific batters in the country. His great forte is hitting to right field. His position at the bat is easy. In waiting for a ball he swings his bat up and down and hits out at the ball mostly from the wrist. Buck seldom strikes out, and puts in many a three base hit when it is most needed. He is undoubtedly the most timely hitter in his team.

### BECKLEY.

Beckley, of the Pittsburgh, is a slugger of the Brotherton type, and like Dan, is left handed. His position at the plate is easy, and he likes a low ball the best, which, if pitched over the plate either fast or slow, is very apt to be cracked out of the lot. This new League player has proven to be not only a good average batsman, but a timely hitter as well. Dickey Johnston, of the Boston club, is one of the very hardest hitters in the League.

While he was with the Richmond team he was known as "Home Run" Johnston. He stands close to the plate and can kill an inshoot. He lets his club hang easy on his shoulder, but can meet the fastest kind of pitching. Hugh Duffy, of the Chicago, is a natural batsman. This year he leads that organization with the stick. Duffy is a small, well-built young fellow, that swings a very heavy bat. He stands well up to the plate and steps in to meet the ball. High or low, it's all the same to Duffy, and Anson says he is the best batsman in the Chicago team.

Among the other fine batters of the League might be mentioned Paul Hines, of the Indianapolis team, who led the League one season; Jim O'Rourke, of the Giants, who had the same honor; Sam Thompson, the fine left hand hitter of the Philadelphia; Tyman, of the Giants; Denny and Glasscock, of Indianapolis, and Ward, of New York.

## New Varieties of Wheat.

Whatever can decrease the cost of or add to the productiveness of our crops adds to the comfort of our homes. It is a benefit to ourselves and society, a blessing to our prosperity and an important service to the nation. In an industrial point of view the introduction of a new prolific variety of grain is of immense national importance, and in this connection will say that it is not so much the soil in the cultivation as the variety itself that insures success. Without a variety of great natural vigor, all the condition for a large crop may be perfect, yet the result will be unsatisfactory. Old methods are giving way to new, old machines are being improved, and old varieties that have lost their original vigor give way when brought into competition with newer and improved kinds.

Because a variety is new, however, is no evidence of its worth. Hundreds of varieties are originated to where one is found that is better than the old sorts, while one is offered with real merit. If the farmers could distinguish between the good and the bad varieties, hundreds of dollars would be saved to them, and the introduction of a valuable article could expect a profit commensurate with the value of the great work he is doing. Jefferson says: "The greatest blessing that can be rendered to any country is to add a useful plant to culture."

A few years ago Mr. Everitt of Pennsylvania began a series of experiments, crossing the Martin's Amber on a number of other varieties principally early maturing red grained sorts, and, as a result, he was successful in producing a new variety possessing the remarkable stooling propensities, great productiveness of Martin's Amber, and one week earlier. It was named Everitt's high grade wheat.

The following is a brief but reliable description of Everitt's high grade wheat: Smooth head, white chaff, red grains. The grains are solid, broad, closely set. They are enclosed in close-fitting chaff, which protects the grain effectively from being shelled out in handling. Straw grows about five feet high, although I have known it to reach six feet on rich ground and favorable season. It is very strong and stands up to perfection. It is bright and clean, and I have never known it to rust. In season it is early, ripens with the Fultz and other popular varieties. Clean wheat of this variety weighs less than 64 pounds to the measured bushel. It yields an average of 40 bushels per acre, and is perfectly suited to the roller process. It starts a very vigorous stalk, and is one of the most hardy growers I know of. Even if very thin in the spring it will thicken up and make a full crop where many other kinds would not pay to cut.

In the important matter of productiveness it is simply immense. Price of Everitt's High Grade Wheat: One pound by mail, 40 cents; three pounds by mail, \$1. Four pounds by mail, \$1.25; one-fourth bushel by express or freight, 75 cents; one-half bushel by express or freight, \$1.25; one bushel by express or freight, \$2.25; five bushels by express or freight, \$10.

How to Send Money: We prefer all remittances be made to us, when possible, by express money orders, which cost only five cents on all sums of \$5 or under; they can be obtained at any express office, and are perfectly safe. If an express order cannot be obtained, money can be sent by registered letter or money order. Address, L. D. STAPLES, Portland, Mich.

### PHILADELPHIA CRICKETERS.

The Newhall Brothers, Who Have Gone to England.

The game of cricket has not been entirely snuffed out in America by baseball, though the American game is so popular that cricket necessarily is obscured. In Philadelphia the celebrated Newhall family of cricketers have done much for England's favorite sport; indeed, nearly thirty years ago they had become quite celebrated cricketers. There are ten brothers of the name, and they have all taken in different times important parts in the cricket field.



THE NEWHALLS.

Robert S. Newhall is one of the most famous. He is now 37 years old. When he was 16 he was promoted to the first eleven of the Young America Cricket club, which had been founded by one of his brothers, and in the fall of the same year he was one of the twenty-two which played Edgar Wilshe's All England eleven. In this match he displayed great skill in defense to the swift deliveries which were given him. In 1872 he played in a game against a powerful eleven of English amateurs, but was not successful. Two years later he was one of the Philadelphia team which beat the Canadians. He was captain of the Philadelphia amateurs who visited England in 1884.

George M. Newhall has been a cricketer for twenty-eight years. He began as a bowler. He soon rose to a prominent position, though, as a batsman. In 1881 he retired from the field, but this year he will captain the Gentlemen of Philadelphia on their tour in England.

For twenty-six years Charles A. Newhall has been a prominent cricketer. In the match in 1868 against Wilshe's professional eleven his record in the first innings was 29 overs, 48 runs, 11 maidens, 6 wickets; and in the second innings 18 overs, 21 runs, 8 maidens, 5 wickets—in all making 11 wickets for 69 runs. He played in all important matches from 1872 to 1882. In 1884 he was one of the "Gentlemen of Philadelphia" in England, where he strained his back. Since then his bowling has not been up to his earlier efforts. He has, however, always been known as America's greatest bowler.

Daniel S. Newhall is next oldest to Robert. He is known as the king of all round players. He is today probably the most prominent figure among American cricketers. He has never made a specialty of any one feature of the game, preferring to fill any position. There is no point of the game on which he is not qualified to speak, and he has always shown great generalship in the field.

### The Dwyers' Stable.

The Dwyers will not for some time attempt to do anything with Oregon, Taverton, Aurania and the 3-year-old sister to Tremont. The latter, like her famous brother, is very speedy, and may be a broad winner later in the season.

An odd feat in the pedestrian line has just been accomplished by an old man, George Benson, 75 years of age. He walked from Albany, Mich., to Cantham, N. Y., with a wheelbarrow and his trunk, weighing 150 pounds, in eight weeks.

## Notice to Creditors.

In the matter of the estate of Gorham Thurber, deceased. All persons having claims against Gorham Thurber, deceased, are required to exhibit the same, with the necessary vouchers, to the undersigned executors of said estate, at the office of George W. Newton, their attorney, Room 17, First National Bank block in Bismarck, in the county of Burleigh, territory of Dakota, and that four months have been limited as the time for creditors to present claims against said estate.

Dated the 8th day of July A. D. 1899.

WILLIAM H. THURBER, CHARLES H. SPRAGUE, GEORGE W. NEWTON, Executors of the Estate of Gorham Thurber, deceased.

Geo. W. Newton, Attorney for Executors, Bismarck, D. T.

[For Publication August 2, 1899.]

## NOTICE OF HOMESTEAD FINAL PROOF.

LAND OFFICE AT BISMARCK, D. T., July 27, 1899.

NOTICE IS HEREBY GIVEN THAT THE following named settler has filed notice of his intention to make final proof, in support of his claim, and that said proof will be made before the register and receiver at Bismarck, Dak., on September 7, 1899, viz:

LEON BROWN,

for the southeast 1/4 of section 2, township 139 north, range 79 west.

## AT IT AGAIN.

The Constitutional Convention Again  
Get Down to Business With a  
Vengeance.

The Final Adoption of the Constitu-  
tion Now in Progress and  
All Anxious.

The Parsons "Black List" Stricken  
Out After a Lively  
Debate.

## The Forty-First Day.

The convention assembled at 2 p. m.  
Mr. Stevens moved that the privileges of  
the floor be extended to forty citizens  
of Ransom county now in the city—giving  
their names.

Mr. Moore moved to amend by extending  
the privileges of the floor to all citizens of  
North Dakota. Carried.

Telegrams were read from citizens of  
Grand Forks, Jamestown, Walsh and  
Traill county, protesting against the loca-  
tion of the public institutions in the con-  
stitution.

Telegrams were also read from citizens  
of Lisbon, Casselton, Mayville, Sheldon,  
Hutton in Traill county, Jamestown,  
Valley City, Fargo and other points, en-  
dorsing the action of the convention.

Mr. Scott moved that the further reading  
of the petitions be dispensed with, and  
that they be referred to a committee.

Mr. Purcell hoped the motion would not  
prevail. The petitions were the expres-  
sions of the people of North Dakota and  
he believed the convention should hear them.

Mr. Bartlett of Griggs, was in accord  
with Mr. Purcell.

Mr. Scott withdrew his motion with the  
statement that he made it simply to  
expedite business, not dreaming that it  
would call out speeches. He therefore  
withdrew his motion and the next peti-  
tion read was from Barnes county and was  
a hearty endorsement of the action of the  
convention in locating the public institutions.

Mr. Miller moved that all petitions be  
referred to a committee of five.  
The roll call on the motion was demanded  
by Bartlett of Griggs, and the roll being  
called the motion prevailed by a vote of 40  
to 24.

The chair appointed as such committee  
Messrs. Miller, Johnson, Selby, Stevens,  
and Colton.

The committee appointed to confer with  
the secretary of the territory with refer-  
ence to the expenses of the convention  
reported.

## EVENING SESSION.

At the evening session the report of the  
committee on revision was considered.

Mr. Rowe moved to substitute File 88 for  
the preamble reported by the committee.  
The substitute offered by Mr. Rowe is:  
"We the people of North Dakota, with  
profound reverence for the Supreme Ruler  
of the universe, do ordain and establish  
this constitution."

On motion of Mr. Stevens Mr. Rowe's  
motion was laid on the table.

On motion of Mr. Rolfe it was ordered  
that unless objection be made, each section  
with the amendments recommended be  
adopted.

Sections one to twenty-two of the con-  
stitution as recommended by the committee  
on revision, were adopted.

The fight of the evening was on the  
recommendation of the committee on the  
section prohibiting the keeping of  
black lists, be stricken out.

Mr. Parsons of Morton, opposed the  
striking out of this section. He had intro-  
duced it in good faith in the interest of  
the laboring class. It had been adopted by  
the convention in committee of the whole, and  
he could see no good reason for striking  
it out.

Mr. Spaulding moved to amend the sec-  
tion by striking out the words "keeping a  
black list." He believed every man should  
have the right to seek employment, but  
did not favor the black list prohibition in  
the constitution.

Mr. Scott favored the adoption of the  
recommendation of the committee to strike  
out the entire section.

Judge Carland spoke against the section  
and favored striking it out.

After an extended discussion the section  
was stricken out.

## THE ARENA.

SEE THEM COME.

As was expected a large number of  
North Dakotans arrived in Bismarck yester-  
day, but it cannot be said that they came  
on the mission anticipated. For several  
days the cities of Jamestown and Grand  
Forks have been raising a howl by wire  
such as would have done credit to a whole  
regiment of defeated candidates. They  
pawed the dirt and tore up the sod and an-  
nounced that they were coming to the cap-  
ital in such force that the "iniquitous,"  
"nefarious," "damnable" "outrageous" and  
several other styles of combination would  
quake before their gaze and crumble be-  
neath the awful force of their terrible de-  
nunciations. Such was the report that came  
sizzling over the wires and it was not sur-  
prising that a large number of delegates  
and citizens went to the train yesterday to  
witness the arrival of the enraged and in-  
dignant citizens. The citizens came.

They came in greater numbers than was  
expected. When they began to leap from  
the train in blocks of five and twenty and  
fifty, the first impulse of the Bismarckers,  
against whom the Grand Forks-Jamestown  
combination had made such harrow-  
ing threats, was to flee, but as soon as the  
arrivals opened their vocal machinery on  
the question of the location of public in-  
stitutions, it was evident that the tele-  
grams had been misleading. There was some reason to  
believe that a Bismarcker might be per-  
mitted to jostle around like the rest of  
mankind without carrying a Gatling gun  
for protection. In short it was a sur-  
prise. After all the telegrams and all the  
long-distance noise of the defeated capital  
candidates it was as difficult to find a  
Grand Forks kicker or a Jamestown howler  
as to escape the swaying, surging crowd  
of happy North Dakotans who came to  
ratify the action of the convention.

It would be impossible to do justice to  
all who arrived. From Ransom county  
came forty bright, intelligent constituents  
of Messrs. Stevens and Sandager, and they  
came with all their power of mind and  
lungs to endorse the action of their repre-

sentatives and the convention. Among  
the members of the delegation were fam-  
iliar faces and gentlemen who are no  
strangers to the commercial and political  
affairs of North Dakota.

Fargo came bounding in with all her  
athletic vigor and cosmopolitan cast of  
countenance, over a hundred strong, and  
from the time of arrival until slumber bid  
them halt, it was one continual round of  
friendly greetings and congratulations.

There was Judge McConnell, the Adonis  
of the supreme bench; John Hag-  
gart, the whole-souled general of the  
rifle's brigade; and a hundred  
other gallant citizens who came to show  
their appreciation of the good work of the  
convention. S. Frazer, the thoroughbred  
Highlander with the silken Moses whiskers  
came at the head of a most entertaining  
squad of Lads Christianians. P. H.  
Nokken and several other well-known  
Celts marched at the head of the Hiber-  
nian corps.

It was an interesting, an entertaining, a  
most welcome body of the worthy repre-  
sentatives of North Dakota's brain and  
brawn, sociability and genius.

## THE SIEGE OF THE CAPITAL.

[The night before the battle for the removal of  
the capital, Lloyds of Jamestown and  
Mathews of Grand Forks in combat before  
Lloyds—Prithoe, Mathews, what be the  
signs?

Do not find these willing ears for thy sweet speech  
Or do the hardened fools give thee rebuff?

Mathews: Lloyds m' friend—  
[Aside—I now do call him friend, but by the  
gods

How m' good knife will make him wince  
If our dear plans do thrive.]

Ab, faithful Lloyds, for this brief pause  
I do thy pardon beg, m' thoughts were borne  
On wings of bliss to our most glorious scheme.

Now to thy question:  
The signs, pale Lloyds, most fickle are.

When I do grasp men's hands and give them  
smile,

And shower upon them all m' winsome ways  
Then by the laughing gods, the world is ours!

But when m' smile do vanish and grow dim  
Or by the clouds of argument are banished  
Then, m' poor Lloyds do I weep for thee.

'Tis not for me nor for m' city fair  
That m' heart lie in agony doth throbb  
But it doth fill me with unutterable woe  
To think that in to-morrow's battle fierce  
M' noble, generous Lloyds must fall.

Lloyds: Nay, Nay, m' true Mathews,  
'Tis for thyself and all thy cherished friends  
That I do now most anxious query make.

M' generosity—famous as thou know'st—  
Ne'er ruled me stronger than in this crisis great.

[Enter O'Bennett of Grand Forks, Win-  
slow of Jamestown, Purcell of Wahpeton,  
scouts, warriors, real estate speculators and poli-  
ticians.]

Lloyds: Ah, m' brave Purcellus, what means  
this?

That snappeth in thy glaring, warlike eyes?

Purcellus: [Dropping his sabre to the floor in  
great excitement.]

Oh, crack o' doom! Oh crash of worlds!  
By all the devils that do stir the flames  
That flash in deep brimstone lakes infernal,  
'Tis time that we were out upon the field.

The capital, the prize for which we pine  
Is held by hosts Bismarckian!

Our wisest speech, our sweetest words,  
Our boldest threats and all our native cunning  
Are but the toys with which their laughter plays

And now, good men, let every warrior know  
If we would not boom, the capital must fall.

O'Bennettus: Ah, be the powers, we are  
stripped of the strofe

Am we'll fight to the ditch yez may bet yer  
swait loife.

[Exeunt, beating tom-toms and shillalies.]

## AMONG THEM.

Editor Hansborough, of Devils Lake,  
whose congressional boom is beginning to  
show a most encouraging "fuzz" on its  
upper lip, says that he is here purely as  
an appreciative spectator.

We are glad to see the beattific smiles of  
D.W. Ensign, of Devils Lake playing "hide  
and seek" in the visiting crowd. Mr.  
Ensign is a pleasant reminder of the good  
old legislative days when it was considered  
the first duty of a legislator, after taking  
his oath of office, to draw a scalping knife  
from his boot leg and begin operations.  
He was a member of the immortal session  
at '85.

Judge Haight of Jamestown came in yester-  
day and to say that he is one of the  
most elegant and agreeable of gentlemen  
is to tell the simple, unvarnished truth.  
It is also true that he is as novel and pic-  
turesque a conversationalist as you could  
meet in a month's walk, but a description  
without a photograph is mere aggra-  
vation. If some enterprising photo-  
grapher will "catch" the judge some day  
when he is in an animated discussion, we  
will challenge the world to produce its  
equal for gray-haired juvenility and vener-  
able jocularity.

Handle with care. A crisis is liable to  
be reached at any day and the three  
candidates for congress arrived yester-  
day. Of course it is needless to say that  
the candidates are H. C. Hansborough, C.  
M. Lord and Col. Lounsberry. If this is  
question out of political discussion in Bis-  
marck for the present, then are the politi-  
cians becoming unwarrantably hazardous  
in conversation.

'Twas BELL, BONY BELL.

Clear the way, for I'm back from fair Walsh's  
green fields.

From the land o' untried men,  
Where the Marlinans stand w' their glistering  
shields

An' there's music in valley an' glen.  
I've scooped the brawd prairies from east to the  
west.

An' w' shouts have I wakened the clan,  
To fight night an' day without slumber or rest—  
An' to clamor for blood to a man.

Till I've known object that ambles or crawls,  
Or that leaps w' madd' fury and rage—  
The snortin' th' snortin' an' the brawlin' th'  
brawls—

Walsh's orators, statesmen an' sage—  
All cry out against this most damnable scheme  
That ha' left mighty Walsh 'th' scorn,  
An' greet th' still night an' the mornin's first  
beam

W' a wild, irresistible whoop!  
For 'twas Bell

Who with yell  
Such as ne'er before fell

On the lags o' mawn, maiden or sire,  
With wild consternation an' great indignation,  
Set all the north prairies afire.

—JAMES BELL.

"How many delegates are there in the  
constitutional convention?" Was asked of  
a visitor in the city yesterday.

"Four," the visitor replied, the recent  
arrival with a serious, faraway look, as  
though wondering if he had counted them  
all.

"Haven't you got the number a little  
high?"

"No. I've simply kept track of the  
number of votes claimed by the opposing  
combinations."

The general verdict of those arriving  
from Jamestown is that Messrs. Fancher,  
Blewett and Camp should send a card of  
thanks to the instigators of Friday night's  
meeting in the city. They have more  
friends there now than ever before,  
and another indignation meeting would  
make them invincible in the politics of the  
county.

## Forty-Second Day.

Convention met at 2 o'clock p. m.

Mr. Stevens protested against the strik-  
ing out of the section providing for town-  
ship organization as recommended by the  
committee on revision. He said the meas-  
ure was a compromise measure and was  
unanimously agreed to.

Mr. Parsons of Morton, agreed with Mr.  
Stevens. He also protested against strik-  
ing out.

Futile efforts were then made by Messrs.  
Purcell, Noble, O'Brien and other dem-  
ocrats, to have the convention provide for  
minority representation.

Mr. Purcell introduced a resolution pro-  
viding that the legislature may divide the  
senatorial districts into legislative dis-  
tricts, one member of the lower house to  
be elected from each district. The resolu-  
tion prevailed after a brief discussion.

## AFTERNOON SESSION.

The event of the afternoon session was  
furnished by President Fancher, who left  
the chair and took the floor to refute the  
charge made against him by Mr. Bennett  
at a public meeting in Grand Forks, and  
published in the Grand Forks newspapers.

This charge was in effect that President  
Fancher had refused to have the tele-  
grams of protest from Grand Forks read  
to the convention Thursday evening last.

Mr. Fancher read the charge and then  
made a clear, concise statement of all that  
he had to do with the telegrams. He said  
that he handed them to Chief Clerk Hamil-  
ton with the instructions that they be read,  
and that the clerk was making in effort to  
gain the attention of the convention when  
the motion to adjourn prevailed.

He stated further that he  
made every endeavor to deal  
fairly with every delegate and every in-  
terest; had permitted delegates to go far  
beyond the limit of the rules in debate  
that there might be a free expression of  
opinion on all sides, and had gone so far  
as to permit the clerk to read these very  
telegrams, although they were not prop-  
erly before the convention and would not  
come up regularly until the next day under  
the head of petitions, memorials and re-  
monstrances.

Having finished his speech amid the  
cheering applause of the convention, Mr.  
Fancher asked Mr. Bennett to take the  
floor and explain whether or not the news-  
papers had reported him correctly.

Mr. Bennett said he did not say that the  
president had refused to have the tele-  
grams read, but that from his conduct he  
believed that he did not want them read.

Mr. Parsons of Morton moved that the  
convention exonerate President Fancher  
from the charge.

This motion was promptly seconded by  
over a dozen members, among them being  
a number of delegates from Grand Forks  
county. The motion prevailed by a vote  
of twenty-two, two members being absent  
and one not voting.

Mr. Rolfe moved to reconsider the vote  
by which the convention decided that the  
legislature shall have power to divide the  
senatorial districts into representative dis-  
tricts.

Mr. Purcell moved to lay the motion on  
the table. Lost.

On motion of Mr. Stevens the section as  
reported by the committee, providing that  
representatives shall be elected at large in  
the senatorial districts, was adopted.

Mr. Stevens moved to amend section 39  
which provides that members of the legis-  
lature shall not be appointed to office dur-  
ing their term, by adding "unless they shall  
have resigned."

Mr. Miller thought it would be better to  
strike out the entire section. The amend-  
ment would give members an opportunity  
to enter into a combination with the gov-  
ernor and then resign to accept appoint-  
ment.

Mr. Moore agreed with Mr. Miller. As for  
him he did not expect to be a senator, had  
no axe to grind and preferred the section  
as it stands.

Mr. Williams said the reason the section  
was amended was to prevent mem-  
bers of the legislature from using their  
official positions to secure appointments.  
It was in the interest of honest legisla-  
tion.

Mr. Stevens' amendment was defeated.  
His next move was to amend the sec-  
tion providing that the pay of legislators  
shall be \$5 so the compensation shall be  
\$500 per session.

Mr. Parsons voted in favor of the amend-  
ment because he wished to make it pos-  
sible for a poor man to be a member of the  
legislature.

Mr. Stevens voted "no" because he  
thought it the poorest place in the world  
for a poor man.

Mr. Williams moved to amend the section  
providing that the pay of legislators shall  
be \$5 to any other office while holding the  
office of governor. He believed this sec-  
tion tied the hands of the people.

Mr. Bartlett of Griggs, opposed the  
amendment.

Mr. Williams hoped the motion would  
not prevail. The object of the section was  
to prevent the governor from using the  
power of his office to gain an election to  
the United States senate.

Mr. Lauder said that so far as the pro-  
vision related to the United States senate  
it was inoperative, as the United States  
senate is the judge of the qualifications of  
its members and no state constitution  
could interfere.

Mr. Williams replied that the commit-  
tee was well aware of this, but believed  
that an honorable governor who took an  
oath to support the constitution of the  
state would not violate his oath.

Mr. Lauder said that no man could be  
compelled to support an unconstitutional  
article, and when the governor takes an  
oath to support the constitution he is not  
bound to support an unconstitutional pro-  
vision.

Mr. Stevens: Mr. Lauder has been one  
who has urged that the salaries of officers  
should be such as to induce men of ability  
to take the positions. Now if the gov-  
ernment would go to the United States senate  
the lieutenant governor a \$1000 man would  
fill a \$8000 position. How could Mr.  
Lauder stand that?

Mr. Rowe: When the people elect a  
lieutenant governor they are fully aware  
that he will be called upon to fill the office  
of governor and they elect a man with  
the qualifications for the position. History  
shows that some of the ablest senators  
have gone from the executive chair and  
some of the greatest of the war governors  
were elevated from the position of lieuten-  
ant governor.

Mr. Rowe's amendment was defeated.  
Mr. Parsons of Morton moved as a  
further amendment that no member of the  
legislature be elected to any other office  
eligible to the state senate for five years after  
adjournment of the convention.

Mr. Wallace moved to amend by simply  
making any Morton county member of the  
convention ineligible for five years.  
[Laughter.]

Mr. Miller moved to amend section 79 so  
that it will require two-thirds of the votes  
of the members "elect" of the legislature  
instead of two-thirds of the members "pres-  
ent" to override the governor's veto. Car-  
ried.

Mr. Wallace moved that the compensa-  
tion of lieutenant governor be double that  
of state senator instead of \$1000 per year  
as provided in the section. He said this  
provision was in most of the state constitu-  
tions and he thought it reasonable. To  
pay the lieutenant governor \$1000 per year  
for his term, you virtually pay him \$2000  
for presiding during a sixty day session of  
the legislature or \$33 per day, for what  
you give the senators \$5 per day. He  
thought his motion would prevail.

The motion was lost.

Mr. Bartlett of Griggs, moved that the  
attorney general's salary be fixed at \$1000  
instead of \$2000 as in the section. He  
thought the salaries of all the state officers  
were too low.

Mr. Camp had not been an attorney gen-  
eral, but he considered the compensation  
fixed not too high. It is much less than  
what would be paid by private individuals  
for the same services.

Mr. Spaulding was one who favored  
economy in salaries of state officers. For the  
present at least, but for an office that re-  
quires skill and professional training a  
reasonable salary should be paid. He had  
not been an attorney-general, but he had  
been the partner of an attorney-general,  
and he knew that it took most of the time of  
a trained lawyer to perform the duties.

Mr. Wallace called attention to the fact  
that the South Dakota constitution provided  
that the salary should be \$1000 per an-  
num.

The motion to reduce the salary to \$1000  
was lost.

A recess of ten minutes was taken.

After recess the report of the commit-  
tee on judicial department was considered.

Mr. Noble moved that the report be  
amended so that instead of having the  
terms of the supreme court at the seat of  
government, Grand Forks and Fargo, the  
three terms be held at the seat of govern-  
ment.

On motion of Mr. Miller a call of the  
house was ordered and while the sergeant-  
at-arms was in search of the absent mem-  
bers the convention adjourned.

CONSIDERATION OF ARTICLE 4, JUDICIAL DE-  
PARTMENT, SECTIONS 88 TO 102, OCCUPIED THE  
CONVENTION DURING THE FIRST HALF HOUR, ALL  
OF WHICH WAS ADOPTED AS REPORTED BY THE  
REVISION AND ADJUSTMENT COMMITTEE, WITH  
SOME SLIGHT VERBAL AMENDMENTS.

The subdivision "district courts," was  
also read and adopted, with the exception  
of the first section, 103.

Mr. Carland of Burleigh moved to  
amend that section by striking out the  
words "each within its territorial limits,"  
which led to a running-fire debate, culmin-  
ating in a vote on motion of Mr. Bartlett  
of Dickey to postpone further consideration  
and make it a special order at 2 o'clock to-  
morrow afternoon.

The sections under the subdivision  
heads, county courts, justices of the peace  
and police magistrates, were read and  
adopted as reported by the committee.  
Section 16, under the head of "miscellan-  
eous," being germane to section 103, was  
assigned to be considered in connection  
with that section to-morrow afternoon.

At 9:30 adjourned.

## THE ARENA.

NEARING THE END.

A few more days and the curtain falls.  
A few brief hours and all that is mortal of  
the constitutional convention will be borne  
away to the cemetery of oblivion, and in  
the vast, unfathomable past will North  
Dakota's constitutional convention be bur-  
ied. Not so with the constitution. Not so  
with the delegates—nay, nay, ten thousand  
nays—not so with the delegates. They will  
not be buried—that is, not all of them.

Some of them will be elected, and will re-  
turn to the capitol next November to fill  
the halls with that grand, professional or-  
atory which will be the outgrowth of their  
amateur rehearsals during the sultry sum-  
merdays. They are all most entertaining  
gentlemen, clever in a fray as well as in a  
frolic, and they will find welcoming friends  
when they return. But this is divergence—  
a specialty in constitutional conventions—and  
we will return to the situation.

With regard to the capital question  
which has been the chief topic of conversa-  
tion in every nook and corner during the  
past week, there is little if any change of  
view, with the exception of the arrival of a few  
more of the distinguished champions from  
the Red River valley candidate—Grand  
Forks. Among these are noticed the fierce-  
minded J. J. Anderson and his Parisian  
friend, Mr. William O'Mulcahy.

The gentlemen headed a party of dauntless  
and uncompromising capital movers, and as  
they are agreeable and entertaining gentle-  
men they are welcome additions to the  
crowd. No city in the world has a greater  
northwest appreciates a rousing crowd of  
rustlers more fully than Bismarck, and to  
these recent additions she extends a wel-  
come.

But the capital question has not been  
reached, and in all probability will not be  
until the evening of the 16th. The gallery  
have been compelled to content  
themselves with the ordinary sparring  
of routine work with an occasional dash of  
genie sensation such as was furnished  
yesterday by President Fancher when he  
took the floor for a bout with Judge Ben-  
nett of Grand Forks. At the Grand Forks  
meeting Judge Bennett charged President  
Fancher with having suppressed telegrams  
attended to be read before the convention  
and it was to refute the charge that the  
president left the chair. Nor did he leave  
it in vain, for he favored the convention  
with one of the liveliest scenes of the ses-  
sion, made the fur fly in the most artistic  
style, caught voting for his friend, chair-  
man, and men who had always  
been against H. S. Parkin were  
voting for him. Mr. Luck got the chair-  
manship, and the work of the convention  
went on. There were no contests, and the  
committee on credentials had case. Then a  
committee of five was appointed by the  
chair to nominate delegates to Fargo.

This committee desired to harmonize  
things, and conferred with Dr. Coe, and R.  
H. Tuttle with a view of putting both  
these gentlemen on the delegation, such other  
men as they might suggest. But both Coe  
and Tuttle declined. They said  
—and they took the same position in open  
convention at a later period. In the pro-  
ceedings—that they would not take the  
places, for they went into the convention  
with friends slated for Fargo, and if they  
were to accept the offer of the committee  
they would be charged and that with  
reason with selling out their friends. They  
did not want to go to Fargo badly enough  
for that. The delegation selected to go  
to Fargo was as follows:—J. S. Green, H.  
H. Lyon, Geo. W. Harmon, S. J. Luck, A.  
V. Schaller, A. M. Packard, J. M. Miller,  
O. Voss, H. Miller, M. W. Wickham, G.  
Walters and W. A. Wheeler. These dele-  
gates were instructed for E. C. Rice for  
judge of this district. It is understood  
that some of these delegates are for Win-  
chester for second choice, and Mr. Newton  
has also some friends in the delegation.

Convention in Morton County.  
[From Wednesday's Daily.]

The county convention was held at Man-  
dan yesterday, at which the Morton county  
republicans selected seven delegates to at-  
tend the state convention to be held at  
Fargo on the 21st instant. It seems that  
there was a combination on the part of  
Dr. Coe and his friends and Mr. H. R. Lyon,  
who desired to get the delegation on behalf  
of his aspirations as state treasurer. A  
slate was agreed on by the parties, but  
when the country delegations came in they  
kicked on the city having so much repre-  
sentation, and, aided by some of Mr. Lyon's  
friends—such as J. S. Green, of the River-  
side ranch, C. H. Hood, of the Mandan  
Roller Mill company, and others, they put  
up a job to break the combination. It  
looks very much as though there was some  
forcefulness somewhere, for the combined  
forces of Coe and Lyon were defeated on