SIXTEENTH YEAR

BISMARCK, NORTH DAKOTA. FRIDAY, AUGUST 23, 1889.

MILLER OR ALLEN?

The Republican State Convention Will Convene To-Day in the City of Fargo.

Every Indication Points to a Spirited Contest for the Position of Governor.

The Miller Men Claim 134 Delegates. While Allen's Friends Claim They Have 110.

Dickey Distanced.

FARGO, N. D., Aug. 20.-Nearly every one of the 259 delegates or the first republican state convention of North Dakota have arrived. The papers and politicians of the state have had much to say of late regarding harmony, but every indication points to a spirited and exciting, if not bitter contest over the position of the governor. Until to-day the impression prevailed that General Allen would not encounter any very strong opposition in the convention. The friends of John Miller were at first induced to push him for a place, but he emphatically vetoed the propsition At the time he was considered a formidable candidate and the removal of his name from the canvass seemed to make every thing easy for Allen. Dickey's strength at no time was estimated at more than thirty, and the removal of Miller from the contest seemed to settle the matter. General Allen rests secure in the fact that the people have spoken for him, and will not believe those who have hinted to him that his enemies are at work against him and will do what can be done to defeat him. During the day Miller's friends were industriously at work, and the result is a complication which makes the solution of the convention's work difficult, and well nigh impossible. To gain the consent of Miller to enter the race it is understood that it has necessitated some changes in the combinations. The Miller men had caucuses to-night and claim 134 delegates, while Allen's friends claim 110. The republican state league organized this The republican state league organized this afternoon.

Insane from Business Troubles.

Toledo, Aug. 20.-Three weeks ago Adam Rommert, a well known building contractor, disappeared in a mysterious manner. Some months since Rommert was awarded a contract for building two new school buildings in this city, but he took the job cheaply and finding he would lose money, left the city. A most diligent search was made for him by his family and search was made for him by his family and friends, but without avail and he was given up as dead or having fied to avoid the disgrace of business failure. The mystery was solved yesterday morning. As a hunter was passing through some woods near Grassy Point, three miles below the eity, he discovered a man half nude, with what clothes he had on in tatters. He called to him and discovered to his great surprise it was Rommert, whom he knew well. The unfortunate man hearing his name called, turned and ran like a deer through the woods, uttering inthrough the woods, uttering in-sane imprecations as he ran. The matter was reported to the chief of police, who detailed a squad of officers to search for him. The hunt is now in progress. Mrs. Rommert is almost distracted at the fate of her husband. of her husband.

Gone With a Handsomer Man

CHICAGO, Aug. 20 .- The wife of Millionaire McDonald, the noted ex-gambler and politician, is missing. Mrs. McDonald disappeared from her home at the corner of Ashland boulevard and Harrison street a week ago last Friday, and though a small army of detectives have been retained to cover her whereabouts, they have suc-ded only in obtaining her diamond, pawned or sold somewhere in the east. It is supposed that Mrs. McDonald is now in Europe, it being reported this morning she had as her companion a Catholic priest who, it was alleged, has been unfrocked by the church. They are supposed to have eloned.

A Scheme for Kilrain.

BALTIMORE, Aug. 20.—There is an effort being made to obviate the necessity of Kilrain going personally to Mississippi to give bail for his appearance at the next term of court. Owing to the present session expiring next Saturday, it will be impossible piring next Saturday, it will be impossible to try Kilrain this term. The scheme is to secure some reputable citizen of Mississippi to go his bond without requiring his presence. In the event of failure to accomplish this scheme Kilrain will be forced to accompany Detective Childs south on Thursday. Joseph White, Kilrain's lawyer, is authority for the above, and is also of the opinion that the authorities of Mississippi are not anxious to prosecute Sullivan and Kilrain, but are after a repeal of the Queen & Crescent charter.

No Need of a Beceiver.

BUFFALO, N. Y., Aug. 20.-Gerhardt matter of the dissolution of Sherman Bros. & Co., limited, filed his report. The document shows that the amount of bills payable was about \$855,000, and that the actual assets were between \$6,000 and \$7,000. Long, who was appointed receiver in the

THE ELEMENTS. Lightning and Rain do Much Damage t Property in Minnesota.

St. PAUL, Aug. 20 .- The storm which prevailed in this city last night and this morning, was one of the most severe ever experienced here. It was at its worst at about 1:30 this morning, when it amounted almost to a hurricane. Two inches of water fell between the hours of 2 and 5 o'clock, and lightning furnished constant and varied illumination. The storm was very general throughout this section, in some places doing considerable damage. An accident caused by overflowed track caused much delay to people residing between the twin cities, several hours being taken to clear the track. All was soon in good working order, however. At Stillgood working order, however. At Stillwater lightning killed three horses belonging to John B. Taft, and the houses of Lahman and Smithson were struck and considerably damaged. The streets were badly washed out. At Eau Claire, Wis, lightning struck a large agricultural building on the grounds of the Northwestern Fair association, destroying the building, together with 5,000 bushels of grain and a lot of machinery. The loss is \$6,000; partially insured. Several houses in that vicinity were struck and badly damaged.

DULUTH DELUGED. DULUTH, Aug. 20.-Two and a half inches of rain fell here last night. The city conduits were insufficient to carry away the water and at least \$60,000 worth of damage was done, much of which the city will be called upon to pay. Simon Clark, grocer, lost \$10,000; J. Fremuth, dry goods, \$12,000 and the Evening Herald \$2,000.

Work for Insurance Adjusters.

BUFFALO, N. Y., Aug. 20.-Fire broke out in the lumber yard of B. and J. Godkin about a mile from Tanawanda, at 1 o'clock this morning. There were nearly 3,000,000 feet of lumber in the yard and about threefourths of it was consumed. Loss about \$50,000; partly insured.

FALL RIVER, Mass., Aug. 20.—The Fall River laundry, the largest establishment of

\$100,000 and \$200,000

CHICAGO. Aug. 20.—George E. Cole & Co., printers and stationers, No. 84 South Dearborn street, were burned out to-night. Loss, \$40,000; well insured. One-fourth of the loss is on the building, owned by Judge Thomas Diokay. Thomas Dickey.

Begins to Look Serious.

Purvis, Miss., Aug. 20 .- The train from New Orleans having been delayed. Bud Renaud was not placed on trial until 2:30 p. m., on the indictment charging him with aiding and abetting the Sullivan-Kilrain fight. The state was represented by District Attorney Neville, and the defendant by Calhoun and Green and Lionel Adams. Pleas in abatement were tendered by defense, to which the state demurred and the the court overruled them. Defense then filed a motion to quash the indictment on the same grounds, and a motion for arrest of judgement in Sullivan's case, and furthermore because in the indictment no offense is charged against Renand. Judge Calhoun argued on the ground that as the in-dictment charged no offense under com-nion law there can no be no aider or abettor in a misdemeanor. The motion was overruled, and defense reserved exceptions. The case was then proceeded with, but in the absence of material witnesses, court adjourned until to-morrow.

Special Meeting of N. P. Directors.

the Northern Pacific railroad will hold a journ until 10 o'clock this morning, when special meeting to-morrow to consider it is likely a permanent organization will Henry Villard's proposition to place a blanket mortgage of \$160,000,000 on the en- election of Judge Cochrane as cnairman, tire property. The scheme would have and the defeat of Williams of been acted on at the last regular meeting, Bismarck for the position, but one of the directors caused some confusion by making the matter public, and its consideration was delayed. There is no discussion in regard to the mortgage, how-ever, as all the directors but one have pro-nounced themselves in favor of it. The powers of the directors are limited, however, to recommendation to place it before preferred stockholders, who must author-ize it by a two thirds vote before the bonds can be issued.

Fatal Explosion.

PITTSBURG, Aug. 20.-The mud drum of a boiler at Gangwiche's brewery, of Mar- that for the success of the combination, of ket street, Allegheny City, exploded with

Harrison at Cincinatti.

CINCINNATI, O., Aug. 21 .- Amid booming of cannon and cheers from the vast

A NEW DEAL.

At a Caucus General Allen Withdraws and E. S. Tyler Will Likely Head the Ticket,

With Spencer for Congress, Bray for Auditor, Booker for Treasurer, Flittie for Secretary.

And Corliss for One of the Judges of the Supreme Court-A Combination Sure to Win.

The First State Convention.

FARGO, N. D., Aug. 21.—The first party state convention ever held in North Dakota met in this city to-day. Politicians have been gathering for several days and the city is crowded with delegates, candidates and spectators. Talk, of all sorts of combinations, has had much to do with the great interest taken in the convention, but the chief interest centers in the fact that this is the first state convention of North Dakota. It is also conceded by the democrats that unless there should be some serious break in the work of the convention, the nominations here made will become the first state officers of the new state. In the contest for nominations for state officers, General Allen, chairman of the state committee, has been generally conceded as well in the lead, although considerable depends on the action of the Farmers' Alliance, of which the leading candidate is John Miller, who would not allow the use of his name until yesterday, when his friends started up his boom once more with a good deal of strength. Much was thought to depend on choice for chairman, and friends of the opposing candidates were on the lookout for the advantages, E. A. Williams being the choice of the Allen men, while Miller's strength was thought to be backing Judge Cochrane. However, the choice of chairman was not so clearly defined as to give positive prediction of the result. In the convention hall for use of the chairman is

of General Grant, being the chair in which the great commander sat at Appomatox, when he signed the papers for General Lee's surrender. This chair is the property of General Capehart, of this city, and was loaned for the occasion. As chairman of the state committee, General Allen o'clock this afternoon, and made a short and sensible speech, counseling harmony and the adoption of a broad platform. The convention was an enthusiastic one and greeted his remarks with cheers. The vote for chairman was taken by counties, the two before mentioned having been nominated and quickly seconded, amid great applause. Six counties, in which there were contesting delegations, were excluded from the vote, which resulted in tayor of Judge Cochrane, who received 180 votes. H. A. Libby, of Walsh county, was chosen by acclamation for secretary, and the convention adjourned till 7:30 o'clock

A committee of nine was appointed on credentials, and ordered to go to work at once. It was hoped the committee would be ready to report at the evening session, but the number of contesting delagations was such as to give them abundant work. New York, Aug, 20.—The directors of and the convention was compelled to adbe effected and candidates nominated. The thought by the Miller men to be a victory for their side, but the natural suggestion is one that the permanent location of public institutions may have worked against the candidacy of a Bismarck man, and that in consequence the vote does not truly represent Miller's strength. However, tomor-

to-night.

row will settle the matter. ALLEN FORCES IN THE MINORITY. The choice of chairman had shown that the Allen forces were in the minority, and which General Allen was a prominent part, it was necessary for the substitution of some man for governor. In the caucus of the Allen forces to-night the matter was thoroughly discussed and General Allen. who was present, stated that his personal desire was solely for the advancement of the Republican cause in the state and withdrew his name from the contest. E.S. Tyler, of this city, was chosen to represent the combination in his stead, and the combination was completed by the choice of Spencer, of Walsh, for congress; John Bray, of Grand Forks, for auditor; Booker, of Pembina, for treasurer; Filttie, of Traill, for secretary, and Corliss, of Grand Forks, for one of the supreme judges. On a roll call of the counties represented at the caucus they foot up a total of 141, or 11 more than a majority.

CRAZED BY FIRE.

A Father Throws His Children One by One from a Second Story Window. TECUMSEH, Ont., Aug. 20.-About 12

o'clock last night fire broke out in Rector Robinet's house, in this village. Robinet was awakened by the smoke about the time the alorm was given from the outside and groping to the kitchen he opened the door. A sheet of smoke and flame blew into his face, driving him backward, singing and burning his face and head. He then went to the rescue of his family. By this time a crowd had gathered and were horrified to see Robinet open one of the windows in the second story and throw his three children, one by one, out. Fortunately, there were persons there to catch the children and they escaped injury. Some of the crowd rushed into the building and dragged out Mrs. Robinet, who was unconscious. Mrs. Robinet's father-in-law was also fatally hurt. The flames next seized upon a wine house and carriage shop adjoining. The cry went up that there was a keg of powder in the former. Almost as soon as this was announced the house blew up, scattering bricks and debris in all directions. The people saw the uselessness of trying to save the three buildings, and devoted their attention to others in the vicinity, which they saved after two hours of hard work. The property loss will be about \$8,000. Robinet says he don't know what started the fire, and that he was crazy when he threw the little children from the window.

Railroad Complications. CHICAGO, Aug. 21.—At a meeting of the western and northwestern divisions of the Western Freight association to-day, the Chicago, St. Paul & Kansas City road gave notice that it would apply the 15-cent scale of proportional rates on through traffic from the seaboard to all intermediate points on its line instead of confining them to St. Paul and Minneapolis traffic. The Iowa Central also filed a notice of its intention to extablish rates from Peoria to sention to extablish rates from Peoria to St. Paul and intermediate points on business originating at Burfalo and other western termini of trunk lines on the same basis as established from Chicago to St. Paul. The action of these two roads cuts the rates to Tacoma points on through business from points east of Chicago. The change in the situation caused by these notices proved a fertile subject for discussion, but no conclusion was reached at the hour of adjournment, and the matter will be further considered to-morrow.

Important Labor Move

READING. Pa., Aug. 21.—The sheet mill of the Reading Iron company, which under the name of the Reading Iron works, failed about six months ago, resumed operations this morning. The sheet mill is one of called the convention to order at 2:20 nine establishments comprising this exnine establishments comprising this extensive plant and employs 275 hands. Within the next ten days eight other mills will gradually resume and give employment to 2,800 hands. Up to this time the company has received signatures of over 2,000 men who agree to forego strong drink and membership in all labor organizations, on condition of being given steady work according to conditions laid down by the president of the company. president of the company.

Base Ball--Tuesday.

Boston 12, New York 2. Cleveland 1, Pittsburg 6. Philadelphia 2, Washington 6. Indianapolis 10, Chicago 7. St. Louis 14, Athletics Louisville 11, Brooklyn 8. Cincinnati 2, Columbus 3. Denver 18, St. Paul 15. Omaha 11, Des Moines 3. Sioux City 20, Milwaukee 3.

se Ball-Wednesday

Boston 10, New York 4. Philadelphia 11, Washington 8. Indianapolis 6, Chicago 12. Cleveland 5, Pittsburg 6. Cincinnati 9, Columbus 8. Kansas City 3, Baltimore 6. Omaha 18, Des Moines 7. Denver 11, St. Paul 12. St. Joseph 9, Minneapolis 1. Sioux City 9, Milwaukee 6.

A Lucky Engineer.

DALLAS, Tex., Aug. 21.-A terrific explosion occurred in Seroggs & Whaley's three-story flouring mill to-day. All the men had gone home to dinner except engineer Boosley. The entire east end of the building and roof were blown out. boiler was blown over tree tops and houses and deposited 300 feet away, while the en-gineer was shot out with the debris of iron and broken lumber, and landed against a pile of wood 200 feet away without suffer-ing severe injuries. ing severe injuries.

"He Pleaded Guilty."

MERIDIAN, Miss., Aug. 21.—It is reported that a negro named Surman, who resided in Luciana, was hung by unknown men last Monday. He was found Tuesday morning hanging to a limb with a placard on his breast bearing these words: "He pleaded guilty to the charge." It is thought he guilty to the charge." It is thought he acknowledged having committed an assault on a white lady about a year ago, and afterwards hung her in a well, and it was for this crime he met his death.

Who Knows Him?

St. Paul, Aug. 21.-A man who registered as P. Horan fell from the third story window of a cheap lodging house on Fifth street to-night and was instantiy killed. He was unknown further than that he just came from the northwest.

BY TELEGRAPH.

A Smashup on the Lehigh Valley Road Results in the Death of Two Men.

A Gasoline Explosion Kills a Watchman and the Whereabouts of the Engineer Unknown.

Ellingsworth Knocked Out in Forty-Three Rounds by Kelleher-Bace Ball, Etc.

Smashup on the Erie. ELMIRA, N. Y., Aug. 21 .- A bad wreck occurred on the Erie road at Big Flats last night. A Lehigh Valley freight train was backing down on a switch across the west bound track when the Erie freight train plunged into it, demolishing the engine and several cars. The east bound freight was immediately flagged, and the flagman of that train was sent back to stop the Erie passenger train No. 2. The fiagman failed to obey orders and the passenger ran into the rear of the freight engine. The baggage and express cars of the passenger and the caboose and two cars of the freight were burned. Engineer Wallace and Fireman Charles Kimball of train No. 2 were badly scalded. A drover named Sutton, from Woodhull, and several other passengers were slightly injured. The track was blockaded for some hours, all passenger trains being transferred on the D. I. & W. road between Corning and this city. The Erie authorities here claim no one but the three persons named were injured. the three persons named were injured. Engineer Wallace will die. Fireman Kimball is frightfully scalded, in addition to having a broken arm.

Fatal Explosion of Gasoline.

PITTSBURG, Aug. 21.—A gasoline still at the oil refinery of A. D. Miller & Son, in Allegheny, exploded at 8 o'clock this morning with a frightful noise, and the entire plant was immediately fired and rapidly destroyed. The engineer is missing, and the watchman was blown many feet and badly burned and bruised. The loss is at least \$225,000. At half past 5 o'clock the fire was under control, so far as confin ing the flames within their original limits was concerned, but the fire was still burning at 9 o'clock this morning. By playing on houses most in danger the spread in that direction was avoided, and by hard work the lumber yard at one end of the property was saved. The destruction of the refinery property, however, is practically total, and the fire is still licking up what little remains. No trace of the engineer has yet been secured, and there is property as the property was saved. The destruction of the tenth of the property was saved. The destruction of the tenth of no longer a vestige of doubt that he met his doom at his post of duty.

A \$160,000,000 Mortgage.

NEW YORK, Aug. 21.-At a special meeting of the Northern Pacific directors, held to-day, Villard's scheme for placing a consolidated mortgage of \$160,000,000 was unanimously approved and a special meeting of the preferred stock holders will be held on October 17 to formally ratify the mortgage. Twenty millions of new bonds will be expended on terminals at Tacoma Superior and elsewhere, and on additional equipments, and the balance of the bonds will be substituted for the obligations of the company and branch lines now outstanding. No action was taken in regard to the dividend on preferred stock.

Forty-three Rounds.

Los Angeles, Cal., Aug. 21.-A fight to a finish, Marquis of Queensbury rules, for a purse of \$1,500, took place at the Southern California Athletic club last night, between Joe Ellingsworth of New York, and Denny Kelleher, of Boston. Ellingsworth was knocked out in the forty-third round by a blow on the neck.

Mahone for Governor.

NORFOLK, Va., Aug. 21.—The republican state convention to nominate candidates for governor, lieutenant governor and attorney general meets here to-morrow at If General Mahone will accept the leading place, he will be nominated by ac-clamation. It is thought to night that Mahone will accept.

The Fire Fiend.

BLOOMINGTON, Ill., Aug. 21.—The flourishing city of Colfax. in this county, on the Illinois Central, twenty miles north of here, is in flames and it is believed it will be entirely destroyed. Bloomington has been telegraphed asking for assistance from the fire department. No particulars are likely to be obtained for some time.

WASHINGTON, Aug. 20 .- Acting Postmaster General Clarkson to-day ordered the free delivery service to be established at the following name | postoffices on October 1st: Menominee, Mich., Woman, tober 1st: Menominee, Mich., Woman, Wis., Kearney, Neb., and St. Cloud, Minn.

Murderer Captured.

St. Paul, Aug. 20 .- A special to the Pioneer Press from Winnipeg gives particulars of the capture of Albert Brazier, at a point twelve miles south of Moose Junction, N. W. T., for the murder of Harry Brown, cook on a ranch in Custer county, Mon-tana, July 81, 1887.

THE NEWS.

PRICE FIVE CENTS.

SENATOR EVARTS has sailed for Havre. RAIN extinguished the Montana forest

SENATOR Pugh has no hope in Montana going democratic.

HEAVY rains visited the vicinity of Sioux

EVERY South Dakota town proudly calls itself the "capital city." In a fire in a New York tenement house

nine persons perished. THE Pennsylvania railroad is about to

establish a pension system. THE body of an unknown man was

found near Ashland, Wis. OLD GABRIEL, a California Indian, is

supposed to be 150 years old. THE Montana constitutional convention adjourned sine die Saturday.

MONTANA Indians are again menacing the lives of whites around Demersville.

Dr. A. B. Lynde of Milwaukee suicided at Duluth. He was an opium eater. THE near approach of Milwaukee's en-

campment causes a servant girl famine. Five luckless mortals will be hanged Friday in the gloomy tombs of New

JOSEPH QUEEN, the original "Black Joe." died at Mount Holley, N. Y., aged 112 years.

ALL of Chicago's breweries are said to be under the control of the English syndi-

THE long distance telephone has been operated successfully between Chicago and Milwaukee.

Dr. Brown-Sequard's elixir of life has been successfully treated to several St. Paul gentlemen. ROBERT DORAN, a leading Kansas cattle-

man, was found with his throat cut from ear to ear near Wichita. A BUFFALO man bet \$100 that he would

kill somebody before 6 p. m. He found his man, but got laid out with an axe. MILLIONAIRE DREXEL of Philadelphia

has donated \$1,500,000 to provide an industrial education institution for poor boys and girls.

AT Fresno, Cal., the servant girl of W. D. Tupper and her lover committed suicide. They were found in the girl's bed locked in each others arms.

emaciated.

Fixing For a Flood.

PITTSBURG, Aug. 20 .- The general impression that the South Fork dam would never be rebuilt appears erroneous, as there is a strong probability that a fishing lake will again be established in that locality. No move in that direction will be made until the damage suits now pending against the stockholders is settled, either by being paid or compromised. The object is to establish a fair sized pond, capable of holding a good stock of fish.

Stage "Held Up."

PORTLAND, Ore., Aug. 20.-News has just been received that the stage running between Canyon City, Ore., and Baker City, was "held up" yesterday, and the entire mail captured and gone through. Postmaster Roby, as soon as the news was received here, started out Inspector Trentland for the scene of the robbery. Nothing has yet been received as to who the robbers were or the amount of money, valuables, etc., they secured.

A Featherweight Scrap.

BUFFALO, N. Y., Aug 21 .- The fight between Jack Smith, featherweight champion of Canada, and Frank Cox, the Australian, for a purse of \$200, took place on Nooy island, near Tonawanda to-night, and was won by the Canadian in 5 minutes.

An Assured Success.

BRAINERD, Aug. 21.-The Leech Lake Indians have signed the treaty and the work of the commission to effect the opening of the reservation to settlement is an assured success.

THE MARKETS BY TELEGRAPH

Minneapolis Market. MINNEAPOLIS, Aug. 20.

The receipts of wheat were 89 cars; shipments 74 This iccrease in receipts and shipments was the cause of strength in the cash market and sellers were holding for higher prices and generally succeeded in getting an advance, ranging up to 10 for the best milling samples. Some ha was sold at a rise and some choice northern was held at 77s. Outside orders were better than for a few days pret, though prices were often limited. Closing quotations: No. 1 hard, on track, 78@80e; No. 1 northern, August, 75c; September, 75c; December, 76%c; on track, 75%@76c; No. 2 northern, on track, 71@78c.

Duluth Market

DULUTH, Aug. 20. WHEAT—Quiet; cash 75%; September, 75%c; December, 80%c; Secsipts, 6 cars.

CONSTITUTION

NORTH DAKOTA,

1889.

PREAMBLE.

We, the people of North Dakota, grateful to Almighty God for the blessings of civil and religious liberty, do ordain and establish this Constitution.

ARTICLE 1.

DECLARATION OF RIGHTS.

SECTION 1. All men are by nature equal-Section 1. All ment are by nature equally free and independent and have certain in alienable rights, among which are those of enjoying and defending life and liberty; acquiring, possessing and protecting property and reputation; and pursuing and obtaining safety and happiness.

Sec. 2. All political power is inherent in the people. Government is instituted for the protection, security and benefit of the people, and they have a right to alter

people, and they have a right to alter reform the same whenever the public

good may require.
SEC. 3. The State of North Dakota is an inseperable part of the American Union and the Constitution of the United States is the

the Constitution of the United States is the supreme law of the land.

SEC. 4. The free exercise and enjoyment of religious profession and worship, without discrimination or preference shall be forever guaranteed in this state, and no person shall be rendered incompensation to be a witness or jurger an account of tent to be a witness or juror an account of his opinion on matters of religious belief; but the liberty of conscience hereby se-cured shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace or safety of

Sec. 5. The privilege of the writ of habeas corpus shall not be suspended unless, when in case of rebellion or invasion, the

when in case of rebellion or invasion, the public safety may require.

SEC. 6. All persons shall be bailable by sufficient sureties, unless for capital offences when the proof is evident or the presumption great. Excessive bail shall not be required, nor excessive fines imposed, nor shall cruel or unusual punishments be inflicted. Witnesses shall not be unreasonably detained, nor be confined in any room where criminals are actually imprisoned.

SEC. 7. The right of trial by jury shall

where criminals are actually imprisoned. Sec. 7. The right of trial by jury shall be secured to all, and remain inviolate; but a jury in civil cases, in courts not of record may consist of less than twelve men, as may be prescribed by law.

Sec. 8. Until otherwise provided by law, no person shall, for a felony, be proceeded against criminally, otherwise than by indictment, except in cases arising in the land or naval forces, or in the militia when in actual service in time of war or public danger. In all other cases. or public danger. In all other cases, offences shall be prosecuted criminally by indictment or information. The Legislative Assembly may change, regulate or

tive Assembly may change, regulate or abolish the grand jury system.

SEC. 9. Every man may freely write, speak and publish his opinions on all subjects, being responsible for the abuse of that privilege. In all civil and criminal trials for libel the truth may be given in evidence, and shall be a sufficient defense when the matter is published with good motives and for justifiable ends; and the jury shall have the same power of giving a general verdict as in other cases; and in all indictments or informations for libels the jury shall have the right to determine the law and the facts under the direction of the court as in other cases.

section of the court as in other cases.

Sec. 10. The citizens have a right, in a peaceable manner, to assemble together for the common good, and to apply to those invested with the powers of government for the redress of grievances, or for other proper purposes, by petition, address or remonstrance.

SEC. 13. In criminal prosecutions in any court whatever, the party accused shall have the right to a speedy and public trial; to have the process of the court to compet the attendance of witnesses in his behalf; and to appear and defend in person and with counsel. No person shall be twice put in jeopardy for the same offense, nor be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty or property without due process of law.

SEC. 14. Private property shall not be taken or damaged for public use without just compensation having been first made to, or paid into court for the owner, and no right of way shall be appropriated to the use of any corporation, other than municipal, until full compensation therefor he first made in money conservation. be first made in money or ascertained and paid into court for the owner, irre-pecpaid into court in the owner, in return tive or any benefit from any improvement proposed by such corporation, which compensation shall be ascertained by a jury,

unless a jury be waived.

SEC. 15. No person shall be imprisoned for debt unless upon refusal to deliver up his estate for the benefit of his creditors, in such manner as shall be prescribed by law; or in cases of tort; or where there is strong presumption of fraud. SEC, 16. No bill of attainder, ex post

facto law, or law impairing the obligations of contracts shall ever be passed. SEC. 17. Neither slavery nor involuntary

SEC. 17. Nettner slavery nor involuntary servitude, unless for the punishment of crime, shall ever be tolerated in this state.

SEC. 18. The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated; and no warshall issue but uron probable cause rant shall issue but upon probable cause, supported by oath or affirmation, particularly describing the place to be searched larly describing the place to be searched and the persons and things to be seized.

SEC. 19. Treason against the state shall consist only in levying war against it, adhering to its enemies or giving them aid and comfort. No person shall be convicted of treason unless on the evidence of two witnesses to the same overt act, or confession in comp.

sec. 20. No special privileges or immunities shall ever be granted which may not be altered, revoked or repealed by the Legislative Assembly; nor shall any citizen or class of citizens be granted privi-leges or immunities which upon the same terms shall not be granted to all citizens. Sec. 21. The provisions of this Constitution are mandatory and prohibitory unless, by express words, they are declared to be otherwise.

SEC. 22. All courts shall be open, and every man for any injury done him in his lands, goods, person or reputation shall have remedy by due process of law, and right and justice administered without sale denial or delay. Suite sale, denial or delay. Suits may be brought against the state in such manner, in such courts, and in such cases, as the Legislative Assembly may, by law, direct. SEC. 23. Every citizen of this state shall be free to obtain employment wherever possible, and any person, corporation, or agent thereof, maliciously interfering or hindering in any ways ways. agent thereot, manciously interfering or hindering in any way, any citizen from obtaining or enjoying employment al-ready obtained, from any other corpora-tion or person, shall be deemed guilty of

SEC. 24. To guard against transgressions of the high powers which we have delegated, we declare that everything in this article is excepted out of the general pow-

ers of government and shall forever remain inviolate.

ARTICLE II.

THE LEGISLATIVE DEPARTMENT. SEC. 25. The legislative power shall be vested in a senate and house of representa-

tives.
SEC. 26. The senate shall be composed of not less than thirty nor more than fifty members.
SEC. 27. Senators shall be elected for the term of four years, except as hereinafter

provided. Sec. 28. No person shall be a senator

SEC. 28. No person shall be a senator who is not a qualified elector in the district in which he may be chosen, and who shall not have attained the age of twenty-five years, and have been a resident of the state or territory for two years next preceding his election.

SEC. 29. The Legislative Assembly shall fix the number of senators, and divide the state into as many senatorial districts at there are senators, which districts as nearly as may be, shall be equal to each other in the number of inhabitants entitled to representation. Each district shall be entitled to one senator and no more, and shall be composed of compact and configuous territory; and no portion of any county shall be attached to any other county, or part thereof, so as to form a district. The districts as thus ascertained and determined shall conthus ascertained and determined shall con-

thus ascertained and determined shall continue until changed by law.

SEC. 30. The senatorial districts shall be numbered consecutively from one upwards, according to the number of districts prescribed, and the senators shall be divided into two classes. Those elected in the districts designated by even numbers shall constitute one class, and those elected in districts designated by odd numbers shall constitute the other class. The senators of one class, elected in the year 1890, shall hold their office for two years, those of the other class shall hold their office four years, and the determination of the two classes shall be by lot, so that one-half

years, and the determination of the two classes shall be by lot, so that one-half of the senators, as nearly as practicable, may be elected biennially.

SEC. 31. The senate, at the beginning and close of each regular session, and at such other times as may be necessary, shall elect one of its members president pro tempore, who may take the place of the Lieutenant Governor under rules prescribed by law! Governor under rules prescribed by law. SEC. 32. The house of representatives shall be composed of not less than sixty, nor more than one hundred and forty

nor more than one hundred and forty members.
SEC. 33. Representatives shall be elected for the term of two years.
SEC. 34. No person shall be a representative who is not a qualified elector in the district for which he may be chosen, and who shall not have attained the age of twenty-one years, and have been a resident of the state or territory for two years part of the state or territory for two years next

of the state or territory for two years next preceding his election.

SEC. 35. The members of the house of representatives shall be apportioned to and elected at large from each senatorial district. The Legislative Assembly shall, in the year 1895, and every tenth year, cause an enumeration to be made of all the inhabitants of this state, and shall at its first regular session after each such enumerate. regular session after each such enumera-tion, and also after each federal census, pro-ceed to fix by law the number of senators ceed to fix by law the number of senators which shall constitute the Senate of North Dakota, and the number of representatives which shall constitute the House of Representatives of North Dakota, within the limits prescriped by this Constitution, and at the same session shall proceed to reapportion the state into senatorial districts, as prescribed by this Constitution, and to fix the number of members of the House of Representatives, to be elected from the sev-Representatives, to be elected from the several senatorial districts; provided, that the Legislative Assembly may, at any regular session, redistrict the state into senatorial districts, and apportion the senators and

districts, and apportion the senators and representatives respectively.
SEC. 36. The house of representatives shall elect one of its members as speaker.
SEC. 37. No judge or clerk of any court, secretary of state, attorney general, register of deeds, sheriff or person holding any office of profit under this state, except in the militia or the office of attorney-at-law, notary public or justice of the peace, and no person holding any office of profit or honor under any foreign government, or under the government of the United States, except postmasters whose

remonstrance.

Sec. 11. All laws of a general nature shall have a uniform operation.

Sec. 12. The military shall be subordinate to the civil power. No standing army shall be maintained by this state in time of peace, and no soldiers shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war, except in the manner prescribed by law.

Sec. 13. In criminal prosecutions in any court whatever, the party accused shall rate the attendance of witnesses in his behalf; and to appear and defend in person and with counsel. No person shall be twice put in jeopardy for the same offense, nor be compelled in any criminal case to be a witness against himself, nor be deprived of any counter of the court of the counter o shall any member receive any civil ap-pointment from the governor, or governor and senate, during the term for which he

Sec. 40. If any person elected to either house of the Legislative Assembly shall offer or promise to give his vote or influence, in favor of, or against any measure or proposition pending or proposed to be introduced into the Legislative Assembly, in consideration or upon conditions, that in consideration, or upon conditions, that any other person elected to the same Legislative Assembly will give, or will promise or assent to give, his vote or influence in favor of or against any other fluence in favor of or against any other measure or proposition, pending or proposed to be introduced into such Legislative Assembly, the person making such offer or promise shall be deemed guilty of solicitation of bribery. If any member of the Legislative Assembly, shall give his vote or influence for or against any measure or proposition, pending or proposed to be introduced into such Legislative Assembly, or offer, promise or assent so to do upon condition that any other member will give. promise or assent to give his rive, promise or assent to give his vote or influence in favor of or against any other such measure or proposition pending or proposed to be introduced into such Legislative Assembly, or in consideration that any other member hath given his vote that any other member hath given his vote or influence, for or against any other measure or proposition in such Legislative Assembly, he shall be deemed guilty of oribery. And any person, member of the Legislative Assembly or person elected thereto, who shall be guilty of either such offenses, shall be expelled, and shall not, thereafter be eligible to the Legislative Assembly, and, on the conviction thereof in the civil courts, shall be lighle to such in the civil courts, shall be liable further penalty as may be prescribed by

SEC. 41. The term of service of the members of the Legislative Assembly shall begin on the first Tuesday in January, next after their election.

SEC. 42. The members of the Legislative Assembly shall in all cases except treason, Assembly shall in all cases except treason, felony and breach of the peace, be privileged from arrest during their attendance at the sessions of their respective houses, and in going to or returning from the same. For words used in any speech or debate in either house, they shall not be questioned in any other place.

in any other place.
SEC. 43. Any member who has a personal or private interest in any measure or bill proposed or pending before the Legislative Assembly, shall disclose the fact to the house of which he is a member, and shall not yote thereon without the consent of the not vote thereon without the consent of the

SEC. 44. The Governor shall issue writs of election to fill such vacancies as may occur in either house of the Legislative As-

Sec. 45. Each member of the Legislative Assembly shall receive as a compensation for his services for each session, five dollars per day, and ten cents for every mile of necessary travel in going to and returning from the place of the meeting of the Legislative Assembly, on the most the Legislative Assembly, on the most usual route.

SEC. 46. A majority of the members o

each house shall constitute a quorum, but a smaller number may adjourn from day to day, and may compel the attendance of absent members, in such a manner, and under such a penalty, as may be prescribed by

SEC. 47. Each nouse shall be the judge of the election returns and qualifications of

its own members.

SEC. 48. Each house shall have the power to determine the rules of proceeding, and punish its members or other persons for contempt or disorderly behavior in its presence; to protect its members against violence or offers of bribes, or private solicitation, and with the concurprivate solicitation, and with the concurrence of two-thirds, to expel a member; and shall have all other powers necessary and usual in the Legislative Assembly of a free state. But no imprisonment by either house shall continue beyond thirty days. Punishment for contempt or disorderly behavior shall not bar a criminal prosecution for the same offense.

SEC. 49. Each house shall keep a journal of its proceedings, and the year and

prosecution for the same offense.

SEC. 49. Each house shall keep a journal of its proceedings, and the yeas and nays on any question shall be taken and entered on the journal at the request of one sixth of those present.

SEC. 50. The sessions of each house and of the committee of the whole shall be open unless the business is such as ought to be kept secret.

SEC. 51. Neither house shall, without the consent of the other, adjourn for more than three days nor to any other place than that in which the two houses shall be sitting, except in case of epidemic, pestilence or other great danger.

SEC. 52. The senate and house of representatives jointly shall be designated as the Legislative Assembly of the State of North Dakota.

SEC. 58. The Legislative Assembly shall meet at the seat of government at 12 o'clock noon, on the first Tuesday after the first Monday in January, in the year next following the election of the members thereof.

SEC. 54. In all elections to be made by the Legislative Assembly, or either house thereof, the members shall vote viva voce, and their votes shall be entered in the journal.

SEC. 55. The sessions of the Legislative journal.

SEC. 55. The sessions of the Legislative SEC. 55. The sessions of the Legislative Assembly shall be biennial, except as otherwise provided in this Constitution.
SEC. 56. No regular sessions of the Legislative Assembly shall exceed sixty days, except in case of impeachment, but the first session of the Legislative Assembly may continue for a period of one hundred and twenty days.

and twenty days.

SEC. 57. Any bill may originate in either house of the Legislative Assembly, and a bill passed by one house may be amended by the other.

by the other.

Sec. 58. No law shall be passed, except by a bill adopted by both houses, and no bill shall be so altered and amended on its passage through either house as to change

sec. 59. The enacting clause of every law shall be as follows: Be it enacted by the Legislative Assembly of the State of North Dakota.

SEC. 60. No bill for the appropriation of money event for the appropriation of

sec. 60. No only for the appropriation of money, except for the expenses of the government, shall be introduced after the fortieth day of the session, except by unanimous consent of the house in which t is sought to be introduced.

Sec. 61. No bill shall embrace more than one subject, which shall be expressed in its title, but a bill which violates this provision shall be invalidated thereby only as to so much thereof as shall not be so The general appropriation bill

SEC. 52. The general appropriation on shall embrace nothing but appropriations for the expenses of the executive, legislative and judicial departments of the state, interest on the public debt, and for public schools. All other appropriations shall be made by separate bills, each embracing but one subject. but one subject.

SEC. 63. Every bill shall be read three several times, but the first and second reading, and those only, may be upon the same day; and the second reading may be by title of the bill unless a reading at length be demanded. The first and third readings shall be at length. No legislative day shall be shorter than the natural day.

day shall be shorter than the natural day.

Sec. 64. No bill shall be revised or amended, or the provisions thereof extended or incorporated in any other bill by reference to its title only, but so much thereof as is revised, amended nor extended or so incorporated shall be re-enacted and published at length.

Sec. 65. No bill shall become a law except by a vote of a majority of all the mem.

entered on the journal.

Sec. 67. No act of the Legislative Assembly shall take effect until July 1st, after the close of the session, unless in case of emergency (which shall be expressed in the preamble or body of the act) the Legislative Assembly shall, by a vote of two-thirds of all the members present in each house, otherwise direct.

Sec. 68. The Legislative Assembly shall pass all laws necessary to carry into effects.

pass all laws necessary to carry into effect the provisions of this Constitution.

SEC. 69. The Legislative Assembly shall

not pass local or special laws in any of the following enumerated cases, that is to say: 1. For granting divorces.
2. Laying out, opening, altering or working roads or highways, vacating roads, town plats, streets, alleys or public

grounds. Locating or changing county seats. Regulating county or township affairs. Regulating the practice of courts of 5. R justice.

6. Regulating the jurisdiction and duties of justices of the peace, police magistrates or constables. 7. Changing the rules of evidence in

7. Changing the rules of evidence in any trial or inquiry.
8. Providing for changes of venue in civil or criminal cases.
9. Declaring any person of age.
10. For limitation of civil actions, or giving effect to informal or invalid deed.
11. Summoning or impanneling grand or petit juries.
12. Providing for the management of

12. Providing for the management of

13. Regulating the rate of interest on The opening or conducting of any election or designating the place of voting.

15. The sale or mortgage of real estate belonging to minors or others under disa-

16. Chartering or licensing ferries, toll bridges or toll roads. 17. Repitting fines, penalties or for-

18. Creating, increasing or decreasing fees, percentages or allowances of public officers.

19. Changing the law of descent 20. Granting to any corporation 20. Granting to any corporation, association or individual the right to lay down railroad tracks, or any special or exclusive privilege, immunity or franchise whatever.

21. For the punishment of crimes.

22. Changing the names of persons or

28. For the assessment or collection of taxes.

24. Affecting estates of deceased persons, minors or others under legal disa-

25. Extending the time for the collection of taxes 26. Refunding money into the state treasury.

27. Relinquishing or extinguishing in whole or in part the indebtedness, liability or obligation of any corporation or person

to this state, or to any municipal co tion therein.

28. Legalizing, except as against the state, the unauthorized or invalid act of any officer

29. Exempting property from taxation.
30. Restoring to citizenship persons convicted of infamous crimes.
31. Authorizing the creation, extension or impairing a light content of the creation.

31. Authorizing the creation, extension or impairing of liens.

32. Creating offices, or prescribing the powers or duties of officers in counties, cities, townships, election or school districts, or authorizing the adoption or legitimation of children.

33. Incorporation of cities, towns or villages, or changing or amending the charter of any town, city or village.

34. Providing for the election of members of the board of supervisors in townships, incorporated towns or cities.

35. The protection of game or fish.

SEC. 70. In all other cases where a gen-

snips, incorporated towns or cities.
35. The protection of game or fish.
SEC. 70. In all other cases where a general law can be made applicable, no special law shall be enacted; nor shall the Legislative Assembly indirectly enact such special or local law by the partial repeal of a general law; but laws repealing local or special acts may be passed.

ARTICLE III. EXECUTIVE DEPARTMENT.

SEC. 71. The executive power shall be vested in a Governor, who shall reside at the seat of government and shall hold his office for the term of two years and until his successor is elected and duly quantified.

SEC. 72. A Lieutenant Governor, shall be elected at the same time and for the same term as the Governor. In case of the death, impeachment, resignation, failure to qualify, absence from the state, removal from office, or the disability of the Governor, the powers and duties of the office for the residue of the term, or until he shall be acquitted, or the disability be removed, shall devolve upon the Lieutenant Governor.

SEC. 73. No person shall be eligible to the office of Governor or Lieutenant Governor unless he be a citizen of the United States, and a qualified elector of the state, who shall here attricts the trace.

unless he be a citizen of the United States, and a qualified elector of the state, who shall have attained the age of thirty years, and who shall have resided five years next preceding the election within the state or territory, nor shall he be eligible to any other office during the term for which he shall have been elected.

shall have been elected.
SEC. 74. The Governor and Lieutenant Governor shall be elected by the qualified electors of the state at the time and places of choosing members of the Legislative Assembly. The persons having the highest number of votes for, Governor and Lieunumber of votes for; Governor and Lieutenaut Governor respectively shall be deelared elected, but if two or more shall have an equal and highest number of votes for Governor or Lieutenant Governor, the two houses of the Legislative Assembly at its next regular session shall forthwith, by joint ballot, choose one of such persons for said office. The returns of the election for Governor and Lieutenant Governor shall be made in and Lieutenant Governor shall be made in such manner as shall be prescribed by

such manner as shall be prescribed by law.

Sec. 75. The Governor shall be Commander-in-Chief of the military and naval forces of the state, except when they shall be called into the service of the United States, and may call out the same to execute the laws, surpress insurrection and repel invasion. He shall have power to convene the Legislative Assembly on extraordinary occasions. He shall at the commencement of each session communicate to the Legislative Assembly by message, information of the condition of the state, and recommend such measures as he shall deem expedient. He shall transact all necessary business with the officers ne shall deem expedient. He shall transact all necessary business with the officers of the government, civil and military. He shall expedite all such measures as may be resolved upon by the Ligislative Assembly and shall take care that the laws be faithfully executed.

Sec. 76. The Governor shall have power to temit fines and forfeitures, to grant repreives, commutations and pardons after conviction, for all offences excent treason

or time fines and forfeitures, to grant repreives, commutations and pardons after conviction, for all offences except treason and cases of impeachment; but the Legislative Assembly may by law regulate the manner in which the remission of fines, pardons, commutations and reprives may be applied for. Upon coaviction for treason he shall have power to suspend the execution of sentence until the case shall be reported to the Legislative Assembly at its next regular session, when the Legislative Assembly shall either pardon or commute the sentence, direct the execution of the sentence or grant further reprive. He shall communicate to the Legislative Assembly at each regular session each case of remission of fine, reprieve, commutation or pardon granted by him, stating the name of the convict, the crime for which he is convicted, the sentence and its date, and the date of the remission, commutation, pardon or reprieve, with his reason for granting the same.

Sec. 77. The Lieutenant Governor shall be president of the sente, but shall be account one or more of said judges of the supreme court from day to day or to aday certain.

Sec. 90. The judges of the supreme court of record, open at all times and touch by one judge, elected by the qualified election for judges under this Constitution, or set the tested at a gree, and except as may be conferred by law; be celection for judges under this Constitution, or said be elected by the qualified election for judges and except as may be conferred. The further of the supreme court, except as in this archer of the supreme court shall be two y

be president of the senate, but shall have no vote unless they be eqally divided. If, during a vacancy in the office of Governor, the Lieutenant Governor shall be impeached, displaced resign or die or from peached, displaced, resign or die, or from mental or physical disease, or otherwise become in-capable of performing the duties of his office, the Secretary of State shall act as Governor until the vacancy shall be filled

r the disability removed.

SEC. 78. When any office shall from any cause become vacant, and no mode is provided by the Constitution or law for filling such vacancy, the Governor shall have power to fill such vacancy by appointment. SEC. 79. Every bill which shall have passed the Legislative Assembly shall before it becomes a law, be presented to the Governor. If he approve, he shall sign, but if not, he shall return it with his objections to the boarse is which the same is the same objections, to the house in which it originated, which shall enter the objections at nated, which shall enter the objections at large upon the journal and proceed to reconsider it. If, after such reconsideration, two-thirds of the members elect shall agree to pass the bill, it shall be sent, together with the objections to the other house, by which it shall likewise be reconsidered, and if it be approved by two-thirds of the members elect, it shall become a law; but in all such cases the vote of both houses shall be determined by the year houses shall be determined by the yeas and nays, and the names of the members voting for and against the bill shall be entered upon the journal of each house re-spectively. If any bill shall not be returned by the Governor within three days (Sundays excepted) after it shall have been presented to him, the same shall be a law, unless the Legislative Assembly by its adjournment, prevent its return, in which case it shall be a law, un-less he shall file the same with his objections in the office of the Secretary of State, within fifteen days after such adjournment.

SEC. 80. The Governor shall have power

SEC. 80. The Governor shall have power to disapprove of any item or items, or part or parts of any bill making appropriations of money or property embracing distinct items, and the part or parts of the bill approved shall be the law, and the item or items, and part or parts disapproved shall be void, unless enacted in the following manner: If the Legislative Assembly be in session he shall transmit to the house in which the bill originated a cony of the in session he shall transmit to the house in which the bill originated a copy of the item or items, or part or parts thereof disapproved together with his objections thereto, and the items or parts objected to shall be separately reconsidered, and each item or part shall then take the same course as is prescribed for the measure of course as is prescribed for the passage of bills over the executive veto. SEC. 81. Any Governor of this state who

Sec. 81. Any Governor of this state who asks, receives or agrees to receive any bribe upon any understanding that his official opinion, judgment or action shall be influenced thereby, or who gives or offers, or promises his official influence in consideration that any member of the Legislative Assembly shall give his official vote or influence on any particular side of any question or matter upon which he may be required to act in his official capacity, or who menances any member by the threatrequired to act in his official capacity, or who menances any member by the threatened use of his veto power, or who offers or promises any member that he, the said Governor, will appoint any particular person or persons to any office created or thereafter to be created, in consideration that any member shall give his official vote or influence on any matter pending

or thereafter to be introduced into either house of said Legislative Assembly, or who threatens any member that he, the said Governor, will remove any person or persons from office or position with intent in any manner to influence the action of said member, shall be punished in the manner now or that may hereafter be provided by law, and upon conviction thereof shall forfeit all right to hold or exercise any office of trust or honor in this state.

exercise any office of trust or honor in this state.

SEC. 82. There shall be chosen by the qualified electors of the state at the times and places of choosing members of the Legislative Assembly, a Secretary of State, Auditor, Treasurer, Superintendent of Public Instruction, Commissioner of Insurance, three Commissioners of Railroads, an Attorney General and one Commissioner of Agriculture and Labor, who shall have attained the age of twenty-five years, shall be citizens of the United States, and shall have the qualifications of state electors. They shall severally hold their offices at the seat of government, for the term of two years and until their successors are elected and duly qualified, but no person shall be elligible to the office of treasurer for more than two consecutive terms.

reasurer for more than two consecutive terms.

SEC. 83. The powers and duties of the Secretary of State, Auditor, Treasurer, Superintendent of Public Instruction, Commissioner of Insurance, Commissioners of Raiiroads, Attorney General and Commissioner of Agriculture and Labor, shall be as prescribed by law.

SEC. 84. Until otherwise provided by law, the Governor shall receive an annual salary of three thousand dollars; the Lieutenant Governor shall receive an annual salary of one thousand dollars; the Secretary of State, Auditor, Treasurer, Superintendent of Public Instruction, Commissioner of Insurance, Commissioners of Railroads and Attorney General shall each receive an annual salary of two thousand dollars; the salary of the Commissioner of Agriculture and Labor shall be as prescribed by law, but the salaries of any of the said officers. be as prescribed by law, but the salaries of any of the said officers shall not be in-creased or diminished during the period for which they shall have been elected, and all fees and profits arising from any of the said offices shall be covered into the state treasury. state treasury.

ARTICLE IV.

JUDICIAL DEPARTMENT.

SEC. 85 The judicial power of the State of North Dakota shall be vested in a supreme court, district courts, county courts, justices of the peace, and in such other courts as may be created by law for cities, incorporated towns and villages.

SEC. 86. The supreme court, except as otherwise provided in this Constitution, shall have appellate jurisdiction only, which shall be co-extensive with the state and shall have a general superintending control over all inferior courts under such regulations and limitations as may be prescribed by law.

SEC. 87. It shall have power to issue writs of habeas corpus, mandamus, quo warranto, certiorari, injunction, and such other original and remedial writs as may be necessary to the proper exercise of its jurisdiction, and shall have authority to hear and determine the same; provided, however, that no jury trials shall be allowed in said supreme court, but in proper cases questions of fact may be sent by said court to a district court for trial.

SEC. 88. Until otherwise provided by law three terms of the supreme court shall be held each year, one at the seat government, one at Fargo, in the county of Cass, and one at Grand Forks, in the county of Grand Forks.

SEC. 89. The supreme court shall consist of three judges, a majority of whom shall be necessary to form a quorum or pronounce a decision, but one or more of said judges may adjourn the court from day to day or to a day certain.

SEC. 90. The judges of the supreme court shall be elected by the qualified electors of the state at large, and except as may be otherwise provided herein for the first election for judges under this Constitution, said judges shall be elected at general elections.

SEC. 91. The term of office of the judges of the supreme court, except as in this ar-

and one for the term of seven years from the first Monday in December, A. D. 1889. The lots shall be drawn by the judges, who shall for that purpose assemble at the seat of government, and they shall cause the result thereof to be certified to the Secretary of the territory and filed in his office unless. of the territory and filed in his office unless the Secretary of State of North Dakota shall have entered upon the duties of his office, in which event said certification shall be filed therein. The judge having the shortest term to serve, not holding his

shortest term to serve, not holding his office by election or appointment to fill a vacancy, shall be chief justice and shall preside at all terms of the supreme court and in case of his absence the judge having in like manner the next shortest term to serve shall preside in his stead.

SEC. 98. There shall be a clerk and also a reporter of the supreme court, who shall be appointed by the judges thereof, and who shall hold their offices during the pleasure of said judges, and whose duties and emoluments shall be prescribed by law and by rules of the supreme court and by rules of the supreme court not inconsistent with law. The Legisla-tive Assembly shall make provision for the publication and distribution of the decisions of the supreme court and for the sale of the published volumes thereof.

SEC. 94. No person shall be eligible to the office of judge of the supreme court unless he be learned in the law, be at least thirty years of age and a citizen of the United States, nor unless he shall have resided in this state or Territory of Dakota three years next preceding his election. Sec. 95. Whenever the population of the State of North Dakota shall equal six hundred thousand the Legislative Assembly shall have the power to increase the number of the judges of the supreme court to five, in which event a majority of said court, as thus increased, shall constitute a

quorum.
SEC. 96. No duties shall be imposed by law upon the supreme court or any of the judges thereof, except such as are judicial, nor shall any of the judges thereof exercise

nor shall any of the judges thereof exercise any power of appointment except as herein provided.

SEC. 97. The style of all process shall be "The State of North Dakota." All prosecutions shall be carried on in the name and by the authority of the State of North Dakota, and conclude "against the peace and dignity of the State of North Dakota."

SEC. 98. Any vacancy happening by death, resignation or otherwise in the office of judge of the supreme court shall be filled by appointment, by the Governor, which appointment shall continue until the first general election thereafter, when said vacancy shall be filled by election.

general election thereafter, when said va-cancy shall be filled by election.

Sec. 99. The judges of the supreme and district courts shall receive such compen-sation for their services as may be pre-scribed by law, which compensation shall not be increased or diminished during the term for which a judge shall have been

therefrom may give the reasons of his dissent in writing over his signature.

SEC. 102. It shall be the duty of the court to prepare a syllabus of the points adjudicated in each case, which shall be concurred in by a majority of the judges thereof, and it shall be prefixed to the published reports of the case.

DISTRICT COURTS. SEC. 103. The district court shall have

SEC. 103. The district court shall have original jurisdiction, except as otherwise provided in this Constitution, of all causes both at law and equity, and such appellate jurisdiction as may be conferred by law. They and the judges thereof shall also have jurisdiction and power to issue writs of habeas corpus, quo warranto, certiorari, injunction and other original and remedial writs, with authority to hear and determine the same.

SEC. 104. The state shall be divided into Six Judicial Districts, in each of which there shall be elected at general elections, by the electors thereof, one judge of the district court therein, whose term of office shall be four years from the first Monday in January succeeding his election and until his successor is duly qualified. This section shall not be construed as governing the first election of district judges under this Constitution.

SEC. 105. Until otherwise provided by law said district shall be constituted as follows:

District No. One shall consist of the

follows:

law said district shall be constituted as follows:
District No. One shall consist of the counties of Pembina, Cavalier, Walsh, Nelson and Grand Forks.
District No. Two shall consist of the counties of Ramsey, Towner, Benson, Pierce, Rolette, Bottineau, McHenry, Church, Renville, Ward, Stevens, Mountraille, Garfield, Flannery and Buford.
District No. Three shall consist of the counties of Cass, Steele and Traill.
District No. Four shall consist of the counties of Richland, Ransom, Sargent, Dickey and McIntosh.
District No. Five snall consist of the counties of Logan, LaMoure, Stutsman, Barnes, Wells, Foster, Eddy and Griggs.
District No. Six shall consist of the counties of Burleigh, Emmons, Kidder, Sheridan, McLean, Morton, Oliver, Mercer, Williams, Stark, Hettinger, Bowman, Billings, McKenzie, Dunn, Wallace and Allred, and that portion of the Sioux Indian Reservation lying north of the Seventh Standard parallel.
SEC. 106. The Legislative Assembly may

tion lying north of the Seventh Standard parallel.

SEC. 106. The Legislative Assembly may whenever two-thirds of the members of each house shall concur therein, but not oftener than once in four years, increase the number of said judicial districts and the judges thereof; such districts shall be formed from compact territory and bounded by county lines, but such increase or change in the boundaries of the districts shall not work the removal of any judge from his office during the term for which he may have been elected or appointed.

SEC. 107. No person shall be eligible to the office of district judge, unless he be learned in the law, be at least twenty-five years of age, and a citizen of the United States, nor unless he shall have resided within the State or Territory of Dakota at least two years next preceding his election, nor unless he shall at the time of his election be an elector within the judicial district for which he is elected.

SEC. 108. There shall be a Clerk of the District Court in each organized county in which a court is holden who shall be elected by the qualified electors of the county, and shall hold his office for the same term as other county officers. He shall receive such compensation for his

same term as other county officers. He shall receive such compensation for his services as may be prescribed by law.

SEC. 109. Writs of error and appeals may be allowed from the decisions of the district courts to the supreme court under such regulations as may be precribed by law.

actions where the amount in controversy does not exceed one thousand dollars, and in all oriminal actions below the grade of felony, and in case it is decided by the voters of any county to so increase the jurisdiction of said county court, the jurisdiction in cases of misdemeanors arising under state laws which may have been conferred upon police magistrates, shall conferred upon police magistrates, shall conferred upon police the judge of actions where the amount in controversy conferred upon police magistrates, shall cease. The qualifications of the judge of the county court in counties where the jurisdiction of said court shall have been jurisdiction of said court shall have been for the county court in counties where the jurisdiction of said court shall have been for the county as these of the jurisdiction of said court shall have been increased shall be the same as those of the district judge.except that he shall be a resident of the county at the time of his election, and said county judge shall receive such salary for his services as may be provided by law. In case the voters of any county decide to increase the jurisdiction of said county courts, then such jurisdiction as thus increased shall remain until otherwise provided by law.

otherwise provided by law. JUSTICES OF, THE PEACE

SEC. 112. The Legislative Assembly shall provide by law for the election of justices of the peace in each organized county within the state. But the number of said justices to be elected in each organized county shall be limited by law to such a number as shall be necessary for the proper administration of justice. The justices of the peace herein provided for shall have concurrent jurisdiction with the district court in all civil actions when the amount in controversy, exclusive of costs, does not in controversy, exclusive of costs, does not exceed two hundred dollars, and in counties where no county court with criminal jurisdiction exists they shall have such jurisdiction to hear and determine such jurisdiction to hear and determine cases of misdemeanor as may be provided by law, but in no case shall said justices of the peace have jurisdiction when the boundaries of or title to real estate shall come in question. The Legislative Assembly shall have power to abolish the office of justice of the peace and confer that jurisdiction upon judges of county courts or elsewhere. or elsewhere.

POLICE MAGISTRATES.

SEC. 113. The Legislative Assembly shall provide by law for the election of police magistrates in cities, incorporated towns and villages, who in addition to their jurisdiction of all cases arising under the ordinances of said cities, town and villages, shall be ex-officio justices of the peace of the county in which said cities, towns and villages may be located. And the Legislative Assembly may confer upon said police magistrates the jurisdiction to hear, try and determine all cases of misdemeanors, and the prosecutions therein shall be by information.

SEC. 114. Appeals shall lie from the county court, final decisions of justices of the peace and police magistrates in such cases and pursuant to such regulations as may be prescribed by law.

elected.

Sec. 100. In case a judge of the supreme court shall be in any way interested in a cause brought before said court, the remaining judges of said court shall call one of the district judges to sit with them on the hearing of said cause,

Sec. 101. When a judgment or decree is reversed or confirmed by the supreme court every point fairly arising upon the record of the case shall be considered and decided, and the reasons therefor shall be concisely stated in writing, signed by the judges concurring, filed in the office of the clerk of the supreme court and preserved with a record of the case. Any judge dissenting

own under such regulations as shall be prescribed by law.

SEC. 117. No judge of the supreme or district court shall act as attorney or coun-

selor at law. selor at law.

SEC. 118. Until the Legislative Assembly shall provide by law for fixing the terms of courts, the judges of the supreme and district courts shall fix the terms thereof.

SEC. 119. No judge of the supreme or district court shall be elected or appointed to any other than judicial offices or be eligible thereto during the term for which he was elected or appointed such judge.

eligible thereto during the term for which he was elected or appointed such judge. All votes or appointments for either of them for any elective or appointive office except that of judge or the supreme court or district court, given by the Legislative Assembly or the people, shall be void.

SEC. 120. Tribunals of conciliation may be established with such powers and duties as shall be prescribed by law, or the powers and duties of such may be conferred upon other courts of justice; but such tribunals or other courts when sitting as such shall have no power to render judge-

such shall have no power to render judg-ment to be obligatory on the parties, unless they voluntarily submit their matters of difference and agree to abide the judgment of such tribunals or courts.

ARTICLE V.

ELECTIVE FRANCHISE.

SEC. 121. Every male person of the age of twenty-one years or upwards belonging to either of the following classes, who shall have resided in the state one year, in the county six months and in the precinct ninety days next preceding any election, shall be deemed a qualified elector at such election.

election:
First. Citizens of the United States.
Second. Persons of foreign birth who
shall have declared their intention to become citizens, one year and not more than
six yerrs prior to such election, conformably to the naturalization laws of the

United States.
Third. Civilized persons of Indian descent who shall have severed their tribal relations two years next preceding such

relations two years next preceding such election.

SEC.122. The Legislative Assembly shall be empowered to make further extensions of suffrage hereafter, at its discretion to all citizens of mature age and sound mind, not convicted of crime, without regard to sex; but no law extending or restricting the right of suffrage shall be in force until adopted by a majority of the electors of the state voting at a general election.

SEC. 123. Electors shall in all cases except treason, felony, breach of the peace or illegal voting, be privileged from arrest on the days of election during their attendance at, going to and returning from such election, and no elector shall be obliged to perform military duty on the day of election, except in time of war or public danger.

SEC. 124. The general elections of the state shall be biennial, and shall be held on the first Tuesday after the first Monday in November; provided, that the first general election under this Constitution shall be held on the first Tuesday after the first Monday in November, A. D. 1890.

SEC. 125. No elector shall be deemed to have lost his residence in this state by reason of his absence on business of the United States.

SEC. 126. No soldier, seaman or marine

Sec. 126. No soldier, seaman or marine in the army or navy of the United States shall be deemed a resident of this state in shall be deemed a resident of this state in consequence of his being stationed therein.

SEC. 127. No person who is under guardian-spip, non compos mentis or insane, shall be qualified to vote at any election, nor shall any person convicted of treason or telony, unless restored to civil rights.

SEC. 128. Any woman having quali-

felony, unless restored to civil rights.
SEC. 128. Any woman having qualifications enumerated in section 121 of this neations enumerated in section 121 of this article as to age, residence and citizenship, and including those now qualified by the laws of the territory, may vote for all school officers, and upon all questions pertaining solely to school matters, and be eligible to any school office.

SEC. 129. All elections by the people shall be by secret ballot, subject to such regulations as shall be provided by law.

ARTICLE VI.

MUNICIPAL CORPORATIONS.

SEC. 180. The Legislative Assembly shall provide by general law for the organization of municipal corporations, restricting their powers as to levying taxes and assessments, borrowing money and contracting debts, and money raised by

SEC. 131. No charter of incorporation shall be granted, changed or amended by special law, except in the case of such municipal, charitable, educational, penal or reformatory corporations as may be under the control of the state; but the Legislative Assembly shall provide by general laws for the organization of all corporations hereafter to be created, and any such law, so passed, shall be subject to future repeal or alteration.

SEC. 132. All existing charters or grants of special or exclusive privileges, under

of special or exclusive privileges, under which a bona fide organization shall not have taken place and business been com-menced in good faith at the time this Con-stitution takes effect shall thereafter have

no validity.

SEC, 133. The Legislative Assembly shall not remit the forfeiture of the charter to any corporation now existing, nor alter or amend the same, nor pass any other general or special law for the benefit of such corporation, except upon the condition that such corporation shall thereafter hold its charter subject to the provisions of this

Constitution.

SEC. 134. The exercise of the right of eminent domain shall never be abridged, or so construed as to prevent the Legislative Assembly from taking the property and franchises of incorporated companies and the state of the same to public use, the same franchises of incorporated companies and subjecting them to public use, the same as the property of individuals; and the exercise of the police power of this state shall never be abridged, or so construed as to permit corporations to conduct their business in such a manner as to infringe the equal rights of individuals or the general well-being of the state.

SEC. 135. In all elections for directors or managers of a corporation, each mem-

or managers of a corporation, each mem-ber or share-holder may cast the whole number of his votes for one candidate, or

ness, where transfers of its stock shall be made and in which shall be kept for public inspection, books in which shall be recorded the amount of capital stock subscribed, and by whom, the names of the owners of its stock and the amount owned by them respectively; the amount of stock paid in and by whom, and the transfers of said stock; the amount of its assets and liabilities and the names and place of residence of its officers. The directors of every railroad corporation shall annually make a report, under oath, to the auditor of public accounts, or some officer or officers to be designated by law, of all their acts and doings, which report shall include such matters relating to railroads as may be prescribed by law, and the Legislative Assembly shall pass laws enforcing by suitable penalties the provisions of this section. Providing the provisions of this section shall not be so construed as to apply to foreign corporations.

SEC. 141. No railroad corporation shall

eign corporations.
SEC. 141. No railroad corporation shall SEC. 141. No railroad corporation shall consolidate its stock, property or franchises with any other railroad corporation owning a parallel or competing line; and in no case shall any consolidation take place except upon public notice given at least sixty days to all stockholders, in such manner as may be provided by law. Any attempt to evade the provisions of this section, by any railroad corporation, by lease or otherwise, shall work a forfeiture of its charter.

Sec. 142. Railways hereofore constructed or that may hereafter be constructed in

SEC. 142. Railways heretofore constructed or that may hereafter be constructed in this state are hereby declared public highways, and all railroad, sleeping car, telegraph, telephone and transportation companies of passengers, intelligence and freight, are declared to be common carriers and subject to legislative control; and the Legislative Assembly shall have power to enact laws regulating and controlling the rates of charges for the transportation of passengers, intelligence and freight, as such common carriers from one point to another in this state; provided, that appeal may be had to the courts of this state from the rates so fixed; but the rates fixed by the Legislative Assembly or board of railroad commissioners shall remain in force pending the decision of the courts.

remain in force pending the decision of the courts.

SEC. 143. Any association or corporation organized for the purpose shall have the right to construct and operate a railroad between any points within this state, and to connect at the state line with the railroads of other states. Every railroad company shall have the right with its road to intersect, connect with or cross any other; and shall receive and transport each other's passengers, tonnage and cars, loaded or empty, without delay or discrimination.

cars, loaded or empty, without delay or discrimination.

SEC. 144. The term "corporation," as used in this article, shall not be understood as embracing municipalities or political divisions of the state unless otherwise expressly stated, but it shall be held and construed to include all associations and joint stock companies having any of the reverse

strued to include all associations and joint stock companies having any of the powers or privileges of corporations not possessed by individuals or partnerships.

SEC 145. If a general banking law be enacted, it shall provide for the registry and countersigning by an officer of the state, of all notes or bills designed for circulation, and that ample security to the full amount thereof shall be deposited with the state treasurer for the redemption of such notes or bills.

such notes or bills.

Sec. 146. Any combination between in-SEC. 146. Any combination between individuals, corporations, associations, or either having for its object or effect the controlling of the price of any product of the soil or any article of manufacture or commerce, or the cost of exchange or transportation, is prohibited and hereby declared unlawful and against public policy; and any and all franchises heretofore granted or extended, or that may hereafter be granted or extended in this state, whenever the owner or owners thereof violate this article shall be deemed annulled and become void.

ARTICLE VIII.

EDUCATION.

SEC. 147. A high degree of intelligence, patriotism, integrity and morality on the part of every voter in a government by the people being necessary in order to insure the continuance of that government and the prosperity and happiness of the people, the Legislative Assembly shall make provision for the establishment and maintenance of a system of public schools which shall be open to all children of the State of North Dakota and free from sectarian control. This legislative requirement shall be irrevocable without the con-

and assessments, borrowning and assessments, borrowning and assessments, borrowning and assessment for any purpose exact to any other purpose exact by authority of law.

ADTICLE VII.

BETICLE VII. uniform system of free public schools for pasturage and meadow purposes and throughout the state; beginning with the primary and extending through all grades provided in case of sale; provided, that all up to and including the normal and col-

be given as far as practicable in those branches of knowledge that tend to impress upon the mind the vital importance of truthfulness, temperance, purity, public spirit, and respect for honest labor of every kind.

SEC. 125. In an arreshols instruction shall be paid in solvance and meadow purposes until sold. All rents shall be paid in advance.

SEC. 125. In an arreshols instruction shall be possible to the permanent shall be instructional funds shall be invested only in bonds of school corporations within the state bonds of the permanent school fund and other educational funds shall be invested only in bonds of school corporations.

spirit, and respect to the spirit, and respect to the spirit spir Sec. 151. The Legislative Assembly shall take such other steps as may be necessary to prevent illiteracy, secure a reasonable degree of uniformity in course of study and to promote industrial, scientific and

and to promote industrial, scientific and agricultural improvement.

SEC. 152. All colleges, universities and other educational institutions, for the support of which lands have been granted to this state, or which are supported by a public tax, shall remain under the absolute and exclusive control of the state. No money raised for the support of the public schools of the state shall be appropriated to or used for the shall be appropriated to or used for the support of any sectarian school.

ARTICLE IX.

SCHOOL AND PUBLIC LANDS.

SEC. 153. All proceeds of the public lands that have heretofore been, or may hereafter be granted by the United States for the support of the common schools in for the support of the common schools in this state; all such per centum as may be granted by the United States on the sale of public lands; the proceeds of property that shall fall to the state by escheat; the proceeds of all gifts and donations to the state for common schools, or not otherwise appropriated by the terms of the gift, and all other property otherwise acquired for common schools, shall be and remain a perpetual fund for the maintenance of the common schools of the state. It shall be

than one-fourth of all such lands shall be sold within the first five years after the same became saleable by virtue of this section. No more than one-half of the remainder within ten years after the same become saleable as aforesaid. The residue may be sold at any time after the expiration of said ten years. The Legislative Assembly shall provide by general law for organiz ing new counties, locating the county seats thereof temporarily, and changing county lines; but no new county shall be organized, nor shall any organized county be so reduced as to include an area of less than twenty-four congressional townships, and containing a population of less than one thousand bona fide inhabitants. And in the organization of new counties and in the organization of new counties and in the organization of new counties and in the organization of of organized county be so reduced as to include an area of less than one thousand bona fide inhabitants. And in the organization of new counties and in the organization of of organized county be so reduced as to include an area of less than one thousand bona fide inhabitants. And in the organization of new counties and boundaries of congressional townships

lands" shall include lands bearing lignite coal.

SEC. 156. The Superintendent of Public Instruction, Governor, Attorney-General, Secretary of State and State Auditor shall constitute a board of commissioners, which shall be denominated the "Board of University and School Lands," and subject to the provisions of this article and any law that may be passed by the Legislative Assembly; said board shall have control of the appraisement, sale, rental and disposal of all school and university lands, and shall direct the investment of the funds arising therefrom in the hands of the State Treasurer, under the limitations of section 160 of this article.

SEC. 157. The county superintendent of common schools, the chairman of the county board, and the county auditor shall constitute boards of appraisal and under the authority of the state board of university and school lands shall appraise all school lands within their respective counties which may from time to time recommend for sale at their actual value under the prescribed terms and shall first select and designate for sale the most valuable lands.

SEC. 158. No land shall be sold for less coal.

select and designate for sale the most valuable lands.

SEC. 158. No land shall be sold for less than the appraised value and in no case for less than ten dollars per acre. The purchaser shall pay one-fifth of the price in cash and the remaining four-fifths as follows: One-fifth in five years, one-fifth in ten years, one-fifth in fifteen years and one-fifth in twenty years, with interest at the rate of not less than six per centum payable annually in advance. All sales shall be held at the county seat of the payable annually in advance. All sales shall be held at the county seat of the county in which the land to be sold is situate, and shall be at public auction and to the highest bidder, after sixty days advertisement of the same in a newspaper of general circulation in the vicinity of the lands to be sold, and one at the seat of government. Such lands as shall not have been specially subdivided shall be offered in tracts of one-quarter section, and those so subdivided in the smallest subdivisions. All lands designated for sale and not sold within two years after appraisal shall be reappraised before they are sold. No grant or patent for any sucn lands shall issue until payment is made for the same; provided, that the lands contracted to be sold by the state, shall be subject to taxation from the date of such contract. In case the taxes assessed against any of said lands for any year remain unpaid until the first Monday in October of the following

lands for any year remain unpaid until the first Monday in October of the following year, then and thereupon the contract of sale for such lands shall become null and

SEC. 159. All land, money or other property donated, granted or received from the United States or any other source for a University, School of Mines, Reform School, Agricultural College, Deaf and Dumb Asylum, Normal School or other educational or charitable institution or charitable institution or purpose, and the proceeds of all such lands and other property so received from any source, shall be and remain perpetual funds, the interest and income of which together with the rents of all such lands as may remain unsold shall be inviolably appropriated and applied to the specific jects of the original grants or gifts. principal of every such fund may be in-creased but shall never be diminished, and

creased but shall never be diminished, and the interest and income only shall be used. Every fund shall be deemed a trust fund held by the state, and the state shall make good all losses thereof.

SEC. 160. All land mentioned in the preceding section shall be appraised and sold, in the same manner and under the same limitations and subject to all the conditions as to price and sale as provided above for the appraisal and sale of lands for the benefit of common schools; but a distinct and separate account shall be kept by the proper officers of each of said funds; provided, that the limitations as to the time in which school land may be sold shall apply only to lands granted for the support of common schools.

Sec. 161. The Legislative Assembly sent of the United States and the people of North Dakota.

SEC. 148. The Legislative Assembly shall provide at its first session, after the adoption of this Constitution, for a specific process. Said lands shall only be leased the same of the sam of said school lands now under cultivation egiate course.

SEC. 149. In all schools instruction shall the control of the board of university and

porations within the state, bonds of the United States, bonds of the State of North Dakota or in first mortgages on farm lands in the state, not exceeding in amount one-third of the actual value of any subdivision on which the same may be loaned, such value to be determined by the board of appraisers of school lands.

Sec. 163. No law shall ever be passed by the Legislative Assembly granting to any

the Legislative Assembly granting to any person, corporation or association any privileges by reason of the occupation, culprivileges by reason of the occupation, cultivation or improvement of any public lands by said person, corporation or association subsequent to the survey thereof by the general government. No claim for the occupation, cultivation or improvement of any public lands shall ever be recognized, nor shall such occupation, cultivation or improvement of any public lands ever be used to diminish either directly or indirectly the purchase price of said lands.

SEC. 164. The Legislative Assembly shall have authority to provide by law for the sale or disposal of all public lands that have been heretofore, or may hereafter be granted by the United States to the state for purposes other than set forth and

for purposes other than set forth and named in sections 153 and 1590f this article. And the Legislative Assembly in providing for the appraisement, sale, rental and disposal of the same shall not be subject to disposal of the same shall not be subject to the provisions and limitations of this

Sec. 18. No corporation shall construct the state of the

than twenty-four congressional townships, and containing a population of less than one thousand bona fide inhabitants. And in the organization of new counties and in changing the lines of organized counties and boundaries of congressional townships natural boundaries shall be observed. natural boundaries shall be observed as nearly as may be. SEC. 168. All changes in the boundaries

SEC. 188. All changes in the boundaries of organized counties before taking effect shall be submitted to the electors of the county or counties, to be effected thereby at a general election and be adopted by a majority of all the legal votes cast in each county at such election; and in case any portion of an organized county is stricken off and added to another, the county to which such portion is added shall assume and be holden for an equitable proportion of the indebtedness of the county so reduced.

duced.
SEC. 169. The Legislative Assembly shall provide by general law for changing county seats in organized counties, but it shall have no power to remove the county seat of any organized county.
SEC. 170. The Legislative Assembly shall provide by general law for township organization under which any county may organize, whenever a majority of all the legal voters of such county, voting at a general election shall so determine, and whenever any county shall mine, and whenever any county shall adopt township organization, so much of this Constitution as provides for the management of the fiscal concerns of said agement of the inscal concerns or said county by the board of county commissioners may be dispensed with by a majority vote of the people voting at any general election; and the affairs of said county may be transacted by the chairman of the several township boards of said county, and when there are may be provided by law for such others as may be provided by law for incorporated cities, towns or villages

incorporated cities, towns or villages within such county.

SEC. 171. In any county that shall have adopted a system of government by the chairmen of the several township boards, the question of continuing the same may be submitted to the electors of such county at a general election in such a manner as may be provided by law, and if a majority of all the votes cast upon such question shall be against said system of government, then such system shall cease in said county, and the affairs of said county shall then be transacted by a board of county

ment, then such system shall cease in said county, and the affairs of said county shall then be transacted by a board of county commissioners as is now provided by the laws of the Territory of Dakota.

SEC. 172. Until the system of county government by the chairmen of the several township boards is adopted by any county the fiscal affairs of said county shall be transacted by a board of county commissioners. Said board shall consist of not less than three and not more than five members whose term of office shall be prescribed by law. Said board shall hold sessions for the transaction of county business as shall be provided by law.

SEC. 173. At the first general election held after the adoption of this Constitution, and every two years thereafter, there shall be elected in each organized county in the state, a county judge, clerk of court, register of deeds, county auditor, treasurer, sheriff and states attorney, who shall be electors of the county in which they are elected and who shall hold their office until their successors are elected and qualfied. The Legislative Assembly shall provide by law for such other county, township and district officers as may be deemed vide by law for such other county, town-ship and district officers as may be deemed necessary, and shall prescribe the duties and compensation of all county, township and district officers. The sheriff and treas-urer of any county shall not hold their re-spective offices for more than four years in

ARTICLE XI. REVENUE AND TAXATION.

SEC. 174. The Legislative Assembly shall provide for raising revenue sufficient to defray the expenses of the state for each year, not to exceed in any one year four (4) mills on the dollar of the assessed valuation of the state of the state for each year. (4) mills on the dollar of the assessed valua-tion of all taxable property in the state, to be ascertained by the last assessment made for state and county purposes, and also a sufficient sum to pay the interest on

the state debt.

Sec. 175. No tax shall be levied except in pursuance of law, and every law imposing a tax shall state distinctly the object of the same, to which only it shall be applied.

SEC. 176. Laws shall be passed taxing

by uniform rule all property according to its true value in money, but the property of the United States and the state, county of the United States and the state, county and municipal corporations, both real and personal, shall be exempt from taxation, and the Legislative Assembly shall by a general law exempt from taxation property used exclusively for school, religious, cemetery exclusively for school, religious, cemetery or charitable purposes and personal property to any amount not exceeding in value two hundred dollars for each individual liable to taxation; but the Legislative Assembly may, by law, provide for the payment of a per centum of gross earnings of railroad companies to be paid in lieu of all state, county, township and school taxes on property exclusively used in and about the prosecution of the business of such companies as common: carriers, but no real e panies as commor carriers, but no real e tate of said corporations shall be exempted from taxation in the same manner, and on the same basis as other real estate is taxed, the same basis as other real estate is taxed, except road-bed, right-of-way, shops and buildings used exclusively in their business as common carriers, and whenever and so long as such law providing for the payment of a per centum on earnings shall be in force, that part of section 179 of this arti-

in force, that part of section 179 of this article relating to assessment of railroad property shall cease to be in force.

SEC. 177. All improvements on land shall be assessed in accordance with section 179, but plowing shall not be considered as an improvement or add to the value of land for the purpose of assessment.

SEC. 178. The power of taxation shall never be surrendered or suspended by any grant or contract to which the state or any county or other municipal corporation shall be a party.

be a party.

SEC. 179. All property, except as hereinafter in this section provided, shall be assessed in the county, city, township, town, yillage or district in which it is situated, in the manner prescribed by law. The franchise, roadway, roadbed, rails and rolling stock of all railroads operated in this state shall be assessed by the state board of equalization at their actual value and such as-

Every such debt shall be authorized by law for certain purposes to be definitely mentioned therein, and every such law shall provide for levying an annual tax sufficient to paythe interest semi-annually, and the principal within thirty years from the passage of such law, and shall specially appropriate the proceeds of such tax to the payment of said principal and interest, and such appropriation shall not be repealed nor the tax discontinued until such debt, both principal and interest, shall have been fully paid. No debt in excess of the limit named shall be incurred except for the purpose of repelling invasion, supfor the purpose of repelling invasion, sup-pressing insurrection, defending the state in time of war, or to provide for public defense in case of threatened hostilities, but the issuing of new bonds to refund existing indebtedness, shall not be construed to be any part or portion of said two hundred thousand dollars.

SEC. 188. The debt of any county, town-

two hundred thousand dollars.

SEC. 188. The debt of any county, township, town, school district or any other political subdivision, shall never exceed five the taxable property therein; provided, that any incorporated city may, by a two-thirds vote, increase such indebtedness three (8) per centum on such assessed value beyond sald five (5) per cent. limit. In estimating the indebtedness which a city, county, township, school district or any other political subdivision may incur, the entire amount of existing indebtedness, whether contracted prior or subsequent to the adoption of this Constitution shall be included; provided, further, that any incorporated city may become indebted in any amount not exceeding four (4) per centum on such assessed value without regard to the existing indebtedness of such city, for the purpose of constructing or purchasing water works for furnishing a supply of water to the inhabitants of such city, or for the purpose of constructing sewers, and for no other purpose whatever. All bonds or obligations in excess of the amount of indebtedness permitted by this Constitution, given by any city, county, township, town, school district, or any other political subdivision, shall be void.

Sec. 184. Any city, county, township, town, school district, or any other political subdivision incurring indebtedness shall.

SEC. 186. No money snall be paid out of the state treasury except upon appropriation by law and on warrant drawn by the proper officer and no bills, claims, accounts or demands against the state, or any county or other political subdivision, shall be audited, allowed or paid until a full itemized statement in writing shall be filed with addied, showed or paid until a full itemized statement in writing shall be filed with the officer or officers, whose duty it may be to audit the same.

SEC. 187. No bond or evidence of indebtedness of the state shall be valid unless the same shall have indorsed thereon a cartificate signed by the Auditor and

less the same shall have indorsed thereon a certificate, signed by the Auditor and Secretary of State that the bond or evidence of debt is issued pursuant to law and is within the debt limit. No bond or evidence of debt of any county, or bond of any township or other political subdivision shall be valid unless the same have endorsed thereon a certificate signed by the county auditor, or other officer authorized by law to sign such certificate, stating that said bond, or evidence of debt, is issued pursuant to law and is within the debt limit.

ARTICLE XIII.

MILITIA.

SEC. 188. The militia of this state shall consist of all able-bodied male persons residing in the state, between the ages of eighteen and forty-five years, except such as may be exempted by the laws of the United States or of this state. Persons whose religious tenets or conscientious scruples forbid them to bear arms shall not be compelled to do so in times of peace, but shall pay an equivalent for a personal service, SEC. 189. The militia shall be enrolled, organized. uniformed, armed and disciplined in such a manner as shall be provided by law, not incompatible with the Constitution or laws of the United States.

States. SEC. 190. The Legislative Assembly shall provide by law for the establishment of volunteer organizations of the several

arms of the service, which shall be classed as active militia, and no other organized body of armed men shall be permitted to perform military duty in this state except the army of the United States without the proclamation of the governor of the state. Sec. 191. All militia officers shall be appointed or elected in such a manner as the Legislative Assembly shall provide. Sec. 192. The commissioned officers of the militia shall be commissioned by the Governor, and no commissioned officer arms of the service, which shall be classe Governor, and no commissioned officer shall be removed from office except by sentence of court martial, pursuant to law. Sec. 193. The militia forces shall in all cases, except treason, felony or breach of the peace, be privileged from arrest during their attendance at musters, parades and election of officers, and in going to and re-

ARTICLE XIV.

IMPEACHMENT AND REMOVAL FROM OFFICE

SEC. 194. The House of Representatives shall have the sole power of impeachment. The concurrence of a majority of all members elected shall be necessary to an im-

peachment.

Sec. 195. All impeachments shall be tried by the senate. When sitting for that purpose the senators shall be upon oath or affirmation to do justice according to the law and evidence. No person shall be convicted without the concurrence of two convicted without the concurrence of two-

ARTICLE XV. FUTURE AMENDMENTS

SEC. 202. Any amendment or amendments to this Constitution may be proposed in either House of the Legislative Assembly; and if the same shall be agreed to by a majority of the members elected to each of the two houses, such proposed amendment shall be entered on the journal of the house with the yeas and nays taken thereon, and referred to the Legislative Assembly to be chosen at the next general election, and shall be published as provided by law, for three months previous to the time of making such choice, and if in the Legislative Assembly so next chosen as aforesaid such proposed amendment or amendments shall be agreed to by a majority of all the members elected to each nouse, then it shall be the duty of the Legislative Assembly to submit such proposed amendment or amendments shall become a part of the Constitution of this state. If two or more amendments shall be submitted at the same time they shall be submitted in such manner that the electors shall vote for or against each of such amendments separately. SEC. 202. Any amendment or amendments to this Constitution may be

ty, township, town, school district, or any other political subdivision, shall be void.

Sec. 184. Any city, county, township, town, school district. or any other political subdivision incurring indebtedness shall at or before the time of so doing, provide for the collection of an annual tax sufficient to pay the interest and also the principal thereof when due, and all laws or ordinances providing for the payment of the interest or principal of any debt shall be irrepealable until such debt be paid.

Sec. 185. Neither the state nor any county, city, township, town, school district or any other political subdivision shall loan or give its credit or make donations to or in aid of any individual, association or corporation, except for necessary support of the poornsubscribe to or become the owner of the capital stock of any association or corporation, nor shall the state engage in any work of internal improvement unless authorized by a two-thirds vote of the people.

Sec. 186. No money shall be paid out of the state treasury except upon appropriation. obtained from the United States or from any person, a title thereto, by patent or other grant, save and except such lands as have been or may be granted to any Indian or Indians under any acts of Congress containing a provision exempting the lands thus granted from taxation, which last mentioned lands shall be exempt from taxation so long, and to such an extent. as is, or may be provided in the act of Congress granting the same.

is, or may be provided in the act of Congress granting the same.

Third. In order that payment of the debts and liabilities contracted or incurred by and in behalf of the Territory of Dakota may be justly and equitably provided for and made, and in pursuance of the requirements of an act of Congress approved February 22, 1889, entitled "An act to provide for the division of Dakota into two states and to enable the people of North vide for the division of Dakota into two states and to enable the people of North Dakota, South Dakota, Montana and Washington to form constitutions and state governments and to be admitted into the Union on an equal footing with the original states, and to make donations of public lands to such states," the states of North Dakota and South Dakota, by proceedings of a joint commission, duly appointed under said act, the sessions whereof were held at Bismarck in said State of North Dakota, from July 16, 1889, to July 31, 1889, inclusive, have agreed to the following adjustment of the amounts of the debts and liabilities of the Territory of Dakota which shall be assumed and paid by each of the States of North Dakota and South Dakota, respectively to-wit:

South Dakota, respectively to-wit:

This agreement shall take effect and be in force from and after the admission into the Union, as one of the United States of America, of either the State of North Dakota or the State of South Dakota.

The words "State of North Dakota," whenever used in this agreement, shall be taken to mean the Territory of North Dakota shall be admitted into the Union prior to the admission into the Union of the State of North Dakota; and the words "State of South Dakota; and the words "State of South Dakota," whenever used in this agreement, shall be taken to mean the Territory of South Dakota in case the State of North Dakota shall be admitted into the Union prior to the admission into the Union of the State of South Dakota.

The said State of North Dakota shall assume and pay all bonds issued by the Territory of Dakota to provide funds for the purchase, construction, repairs or maintenance of such public institutions, grounds or buildings as are located within the boundaries of North Dakota, and shall pay all warrants issued under and by virtue of that certain Act of the Lerisetting The words "State of North Dakota," pay all warrants issued under and by virtue of that certain Act of the Legislative Assembly of the Territory of Dakota, approved March 8, 1889, entitled "An Act to provide for the refunding of outstanding warrants drawn on the Capitol Building

Fund.'

warrants drawn on the Capitol Building Fund."

The said State of South Dakota shall assume and pay all bonds issued by the Territory or Dakota to provide funds for the purchase, construction, repairs or maintenance of such public institutions, grounds or buildings as are located within the boundaries of South Dakota.

That is to say: The State of North Dakota shall assume and pay the following bonds and indebtedness, to-wit:

Bonds issued on account of the Hospital for Insane at Jamestown, North Dakota, the face aggregate of which is \$266,000; also, bonds issued on account of the North Dakota University at Grand Forks, North Dakota, the face aggregate of which is \$96,700; also, bonds issued on account of the Penitentiary at Bismarck, North Dakota, the face aggregate of which is \$98,600; also, refunding Capitol Building warrants dated April 1, 1889, \$83,507.46.

And the State of South Dakota shall

dated April 1, 1889, \$83,507.46.

And the State of South Dakota shall assume and pay the following bonds and

assume and pay the following bonds and indebtedness, to-wit:
Bonds issued on account of the Hospital for the Insane at Yankton, South Dakota, the face aggregate of which is \$210,000, also, bonds issued on account of the School for Deaf Mutes, at Sioux Falls, South Dakota, the face aggregate of which is \$51,000; also, bonds issued on account of the University at Vermillion, South Dakota, the face aggregate of which is \$75,000; also, bonds issued on account of the University at Vermillion, South Dakota, the face aggregate of which is \$75,000; also, bonds is Out; also, bonds issued on account of the University at Vermillion, South Dakota, the face aggregate of which is \$75,000; also, bonds issued on account of the Penitentiary at Sioux Falls, South Dakota, the face aggregate of which is \$94,300; also, bonds issued on account of the Agricultural College at Brookings, South Dakota, the face aggregate of which is \$97,500; also, bonds issued on account of the Normal School at Madison, South Dakota, the face aggregate of which is \$49,400; also, bonds issued on account of the School of Mines at Rapid City, South Dakota, the face aggregate of which is \$33,000; also, bonds issued on account of the Reform School at Plankinton, South Dakota, the face aggregate of which is \$30,000; also, bonds issued on account of the Normal School at Spearfish, South Dakota, the face aggregate of which is \$25,000; also, bonds issued on account of the Soldiers' Home at Hot Springs, South Dakota, the face aggregate of which is \$45,000.

The States of North Dakota and South

The States of North Dakota and South Dakota shall pay one-half each of all lia-[Continued on Page 6.]

The Bismarck Tribune.

BY M. H. JEWELL.

THE DAILY TRIBUNE Published every morning, except Monday, at Bis marck, Dakota, is delivered by carrier to all parts of the city at 25 cents per week, or \$1 per month

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WEEKLY TRIBUNE.

WEERLY TRIBUNE.

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

lation 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 northwestern towns and military posts remote from railroad lines.

The DAILY TRIBUNE will be found on file at the Grand Pacific hotel, and Lord & Thomas, advertising agents, Chicago, and at reading rooms and news depots throughout the country.

The general eachern advertising agent of the TRIBUNE is A. F. Richardson, Room 65, Tribune Building, New York. All advertisements for the TRIBUNE from points east of Illinois should be sent to him.

THE NOMINEES.

The republicans of Burleigh county did good work yesterday. In nominating Col. C. B. Little for the state senate, and the Hon. E. A. Williams and G. W. Rawlings for the house, they recognized three of the county's most stalwart republicans and representative citizens. Col. Little has been a resident of Bismarck over seven years, during which time he has been one of the county's most enterprising and public spirited citizens. He is a gentleman of good attainments, having received a collegiate education and a thorough legal training. If elected, as there is every reason to believe he will be, he will prove a creditable and painstaking representative of the county.

The Hon. E. A. Williams, who was nominated for the house, is too wellknown in public and private life to need introduction or endorsement. He has been tried and found not wanting. As a legislator he has no superior and the statement that he will prove faithful to his trust can have no stronger guarantee than his record of many years of loyal and efficient service for the people.

R. W. Rawlings, of Sterling, the other nominee for the house, is one of the county's most successful farmers and is truly representative of the agricultural interest of the state. He was born in Cecil county, Md., Dec. 22, 1834, moved to Illinois with his parents to Virginia, Cass county, Illinois, at which place he resided until he came to Dakota in 1883. Has always been a republican. He voted for John C. Fremont in 1856, it being his first vote and the only republican vote cast in the precinct.

E. S. Allen, the nominee for clerk of the district court is a lawyer of ability. a typical young republican, a wide-awake citizen, and a most popular candidate. He will poll the entire party vote and will be elected by a rousing majority, as will the candidates for legislature.

THERE are so many good features in the constitution all of them cannot be discussed at one time. By no means the least is that section in the article on revnue and taxation which provides the plowed or cultivated land shall not be taxed at a higher rate than uncultivated land in the same vicinity. No other constitution in the country contains a provision of so much benefit to the farmers. Another novel feature is the provision that the moneys of the permanent school fund may be inverted in first mortgages on farm lands in the state, not exceeding in amount one-third the actual value of any subdivision on which the same may be loaned. Thus it will be possible for the farmers, having gilt-edge security to secure money at a low rate of interest. The constitution is an admirable document, unexcelled by the constitution of any other state. It is on the side of the farmer but not so radical as to array the corporations against it or discourage the further extension of railroads, so much needed to develop the state. On all sides the document is strongly endorsed except where individual or community disappointment outweighs sober judgment and proper consideration of the material interests of the masses.

Now that the constitutional convention is a thing of the past, the TRIBUNE takes pride in calling attention to the records made by the representatives of this district-Judge Carland, E. A. Williams and Harvey Harris. The appreciation of the people was expressed in the resolutions of the republican county convention. No district in the new state was more ably represented. With Judge Carland standing unquestionably the leader of the convention on questions of law, with E. A. Williams, the most experienced legislator on the floor and Harvey Harris wide awake and watchful, Burleigh and McLean counties have reason to be proud of their representatives.

Time will prove the wisdom of permanently locating the public institutions in the constitution. That they have been equitably distributed is not denied, unless the complaint shall be in the future that the Red River valley was given more than its share. Six of the public institutions are located in the six Red River counties. Six institutions are located on the Manitobs system, six on the Northern Pacific and those at Grand Forks are on both systems. The institutions are simply located, and the grant of land apportioned. stitution as agreed upon up to Friday The buildings will not be built until night, each to their respective territorial

matter been left to the legislaturewhich body would have had the power to make appropriations as well as locations—there would have existed such a strife and turmoil at each session as would have brought disgrace upon the state. The disturbing element out of the way, we may now expect the enactment of wise and wholesome laws and the perpetuation of an economical state govbe too emphatic on this point. The new state goes into the union in fairly good circumstances, with a capital building and other needed institutions already built, and with rigid economy there is no reason why North Dakota shall not continue to progress, and when her fertile prairies and people take the lead of all northwestern states in wealth, population and prosperity.

ENABLING ACT AND CONSTITUTION "Two lawyers" at Grand Forks have discovered a mare's nest. They have found by examining the enabling act (so they report) that congress confers upon the legislature alone the power to locate institutions, and therefore the adoption of the constitution might forfeit the grant of lands to North Dakota.

It is quite evident that the Grand Forks lawyers pride themselves on having made a very important discovery. But unfortunately for this sensation the Jamestown delegates are all right. whole matter was gone over in Bismarck long ago, both by the members of the convention and a regiment of lawyers. Not only this but counsel was obtained of two eminent attorneys of St. Paul and Minneapolis---and the measure drawn in accordance with their advice.

The clauses in the enabling act relating to the duty of the legislature in the disposition of these lands are two, one declaring that the 170,000 acres remaining, after giving to certain specified institutions a definite number of acres, shall be used for "such other educational or charitable institutions as the legislature of said state may determine," the other that "The lands granted by this section shall be held, appropriated and disposed of exclusively for the purposes herein mentioned in SUCH MANNER as the legislatures of the respective states may severally provide."

That this claim applies only to "manner," that is, the details, price, time, etc., of their sale and application, is perfectly evident from the fact that a given amount of land is "appropriated" to each of eight institutions by the act itself. For instance, it gives the school of mines 40,000 acres. No one will pretend that the legislature can change this or make an "appropriation" at war with it. That body must simply determine the "manner" of disposing of it.

So far as the 170,000 acres are concerned, each grant made in the constitution expressly declares that a certain number of acres shall be appropriated "for such other educational or charitable nstitutions as the legislature may determine," thus following the language of

In other words, the constitution tells precise purposes and under the precise terms fixed by that act.

The constitutional convention was not restricted from naming the places where these institutions should be located. It therefore named them. It was not debarred from specifiying the quantity of land which should go with each institution, so long as it harmonized with the enabling act. If the constitution is in any particular repugnant to the terms of the organic act of congress, it will in that particular fail; but it certainly will not go down because of its clause relating to "public institutions."

THERE was harmony all around in the county convention except in the vicinity of Mr. McClung-who was on the outside -but couldn't hold himself down when Mr. Griffin said he wanted to hear from an old time republican like Mr. McClung he said he was razzle-dazzled-or words to that effect-meaning that he wasn't exactly satisfied-probably still thinking about that central committee organization-which didn't suit others and ought not have been-but it's a dead issue now and-anyhow McClung is a republican of the old school, dyed in the wool and-it being understood that there will be no more monkey business about the committee and that when reorganized at the next regular county convention will stand until the next general election-McClung is all right.

THE newspapers of the country are already urging their respective states to begin preparation for making suitable displays at the world's fair in 1892. Whether the fair be held in Chicago or New York every one of the new states should be creditably represented, and North Dakota, true to her history, will not be behind. However, the discussion of the question cannot be begun too soon, for as the Pioneer Press says of Minnesota: "At least one year should be devoted to the discussion and adoption of a strong programme, and another year to arranging for the material of the exhibit.

THE jurisdiction of judges of the district court was confined under the connecessity demands it. Had the whole limits so that it would have been impos- jority.

sible for a judge in any district to issue a writ or transact any other business for another district even in case a judge was disqualified by sickness or any other cause. This restriction on the judges has been strenuously fought for by Messrs. Lauder, Bartlett of Griggs and others, and every time a vote was taken on it these gentlemen have carried their point. But with Bartlett of Griggs ernment. The republican platform in the chair, and thus unable to take a which shall be adopted at Fargo cannot hand in the discussion, the restriction was struck out by a big majority without even a roll call. The excellent argument produced by Messrs. Carland, Purcell and Miller carried the measure with a rousing majority.

> It is hoped the Jamestown people will now see the wisdom of their delegates. At no time during the Convention did Jamestown stand any show for either the temporary or permanent capital. The delegates knew this and acted accordingly, but their constituents, or rather a few of their constituents, thought otherwise. To convince themselves they sent a lobby to Bismarck. After working a week on the matter they returned to Jamestown satisfied their delegates had done the best they could. They got another public institution with an endowment of 20,000 acres of land and a provision that no public institution shall be duplicated in the future. The

It is believed that the constitution formed for North Dakota is a model document and that it will stand beside those of other states superior rather than equal. Its provisions have not been hastily considered and adopted. The committee have been faithful and their reports thoroughly discussed in committee of the whole house. The committee on revision and adjustment went over the work carefully and in turn their report has been considered section by section by the convention, and opportunity given for full opinions of thought and wise amendments.

THE enterprise of the TRIBUNE in printing the constitution in full the day after its adoption is appreciated by the press of the territory, as shown by the aumerous orders for supplements pour-

The Bismarck TRIBUNE, with a degree of promptness highly commendable, publishes in its Sunday issue August 18th, the new constitution complete, as finally adopted, after 11 o'clock Saturday night. Mr. Jewell, of the TRIBUNE, who is now in Mr. Jewell, of the TRIBUNE, who is now in Fargo, will furnish supplements to the country press at the following ra:es; For first ten quires, 25 cents per quire; 20 cents for twenty quires, and 15 cents for each additional quire thereafter. This will be on an average of \$4 for 430: \$10 for 1,500. Orders by mail or telegraph promptly filled

The action of the constitutional convention of North Dakota in passing a resolution favoring Chicago as the site for the world's fair has again brought the new state into prominence in the press of the east. Chicago appreciates the friendship, but New York is inclined to smile as though an infant had entered a prize ring. North Dakota is young, the legislature in this as in other matters but from this time henceforth there will what it shall and shall not do. Its man- be mighty little of national interest in dates are not in conflict with the enabling which she will not play a part. As to act because the land is devoted to the how well she will play it we may judge from her record of the past.

> NEARLY all the delegates to the constitutional convention left for their homes Saturday and Sunday nights taking with them the general good wishes of the citizens of Bismarck. There was but little bitterness exhibited on the part of the "minority"—only disappointment. On every side was heard ought but good words for Bismarck and her people and even among those who opposed the location of the public institutions there was but one sentiment expressed and that was that Bismarck had got only her just dues in the retention of the capital which cost her citizens so dearly.

THE fight for the capital of South Dakota goes on uninterrupted. State conventions, constitutional conventions, blessings, disasters, sorrows or joys cannot divert the public mind of the southern sister from this all-absorbing, all controlling issue. How much better to have the question settled quietly and conservatively, as it has been in North Dakota.

THE woman suffragists are in hopes that the prohibitionists of the new state will stand out for their right, chief among which, at present, is woman suffrage. The vote on this question will give the suffragists some knowledge of their strength, and it is safe to predict that they will make less noise thereafter.

Those who a few days ago were so anxious to defeat the constitution, are And bearing bruises from the hands of those now wondering how they can secure the nomination of themselves or friends on the state ticket. Before the day of election rolls 'round the opposition to the constitution will be so weak that it will And feel no longer that we fought in vain. have to be fed with a spoon.

EDITOR HANSBROUGH seems to be cleaning the platter for congress up in the northwestern counties. He is working for himself and not making alliances. Thus it is that some of his delegates are also instructed for Gen. Allen and others are opposed.

THE nomination of Gov. Mellette for the governorship of South Dakota is assured. Already a sufficent number of delegates have been instructed for him to insure his nomination by a good maTHE ARRNA.

During Saturday afternoon and even-

ing the illustrious constitution makers

who for forty-five days had been suffering

from the brace of dignity which kept them painfully perpendicular, gave themselves over to the follies and antics which invariably characterize the closing day of a legistative body. Notwithstanding the fact that one of the most important sections of the constitution was considered, the playful state-men, like school boys on a frolic, pelted one another with the conventional paper balls, pamphlets, rulers and rubber bands, and filled the air with the debris of superfluous stationery. It was indeed gratifying to see the rosycheeked Addie Leech, who has been the Peck's Bad Boy of the session, turn himself loose without reserve, while frolicsome Bartlett of Dickthe mischievous Gray Cass and the mirthful Richardson Pembina returned to their days of mumblety-peg and tag and sustained the reputation of the American boy. It was also good to see Judge Flemington of Dickey break through the pressure of his dignity while the imperious Lauder and the classical Johnson, whooped it up in the good old barefoot style. With President Fancher's legant blue eyes dancing with delight as he aimed a paper ball or a copy of the Australian bill at the head of an unsuspecting delegate, when the irrepressible Griggs hurled a waste basket and an inkstand at his playmate "Billy" Budge, and a copy of the revised code was sent spinning on the magnificent skating rink of Judge Carland, it was realized that the true American spirit had taken possession of the constitutional convention. With the wrestling match between Delegates Holmes and Parsons, the song and dance between Messrs Robertson and Rowe and the game of leap frog in which Messrs. Chaffee and Turner distinguished themselves, the closing scenes stand at his playmate "Billy" Budge, and a tinguished themselves, the closing scenes removed any doubt that may have existed regarding the thoroughbred nature of the convention. It was a day of restful recrea-tion when at last the final adjournment was taken and the delegates gathered up the stationery and other property in and about his desk preparatory to departing for his home—there was a social warmth and brotherly love about the scene that belied the angry mouthings of debate. FAREWELL

No body of men ever departed from Bismarck taking with it more hearty good wishes of her people. To one and all from the most friendly, broad-guaged champion of the wise and prudent measure for the locations of the public institutions to the wildest and most impetuous kicker in the convention, the people of Bismarck aumerous orders for supplements pouring in from all parts of North Dakota.

The Fargo Argus says:

The Bismarck Tribune, with a degree of the supplements pouring and happy lives and that their pleasant yeras may be extended till their admiring generating the lofty dome of a magnificant capital and the lofty dome of a magnificant ficent capitol on Bismarck's northern hills and in the gandeur and sta-bility of the various institutions of the hills polity of the various institutions of the state, they may see the wisdom of their statesmanly conclusions. To the delegates whose friendship has already been proven, the fondest wish is that that friendship may be strengthened and deepened by the advancing years and to the objectors and dissentors we extend the prayer that the dawning light of statehood will show them the error of their way. the error of their way.

AFTER THE BATTLE. [Scene in the Hospital.] Andersonius: [Before the looking glass]-Oh, by the gods of war, what an eye! To think that this most damnable rebellion

Which 'gainst Bismarckian hosts we didst give Shouldst close with such disaster to our hosts. Aye, cruel Mars, to think that such an eye Thou wouldst inflict on noble Andersonius.

[Enter Mathewsins, O'Bennetticus, Johnsonius, Bartlettius, Purcellius and Lauderius on

Andersonius: Oh, noble warriors, it doth make me weep To see thee carried here in mangled form When we didst plan that at this very hour We wouldst be marching in victorious line.

Speak m' dear friends, thy stories quickly tell,

M' eye is closed-I canst not see the well. Mathewsius; Odds, bodkins, Ande thou shouldst not ask me speak 'Till this right arm reposeth in a sling. But since request , thou hast in earnest made I'll tell thee in full truth that never since

Have I such cyclone seen as we didst meet When on the capitol we made most gallar

But hold! This pain! No more I'll speak to Until physicians dally with me right.

Andersonius: And thou, Johnsonius.

What word has thou? Johnsonius What word? Indeed what "wordj For words at times like this are but the stings With which I do increase m' aggravation. But if m' "word" thou'lt have; without a si I'll give it to thee in a single-d-n!

Purcellius: And I-well, I didst think when we didst charge That from the field a greater game I'd bring Than this lame limb and overswollen cheek, [Aside.] Bu after all, when I do glance about And see Lauderius in blood well bathed M' grief is softened with a strange delight,

And laughter sheds its sunshine on m' woe. Andersonius: And thou, Bartlettius, what sayest thou?

Bartlettius: I pray thee ask me not to utter For if I ope m' valves of pent up rage The earth must bathed in seething lava be. But if I do recover from m' wounds

Lauderius: Oh, this is woe, unutterable in deed--To see me here—the great Landerina Whose Roman head ne'er bowed to man or

No more wilt I shed gore on battle grounds

Bathed in m' own most rich and royal blood Who shouldst not e'en attempt to gloss m' shoes [Aside.] And yet, when I do see m' foe Pur

Maimed and bedraggled, with his halting gait, M' thoughts are lighter-I forget m' pain, Andersonius: O'Bennetticus -- thy experi

O'Benneiticus: Hould abit, Romans, and no words provol

Oi canst not spake to yez-me jaw is broke. [Enter physicians, nurses and attendants, and the wounded are taken to the operating rooms.]

OLD, BUT FEARLESS. Dr. Bartlett, the gray-haired youth from Dickey county was one of the hard headed, practical members of the convention and side from the good work which he did in the interest of the constitution, he had a most interesting time. Tall, of distinguished appearance and ready speech, he at- ished into thin air and the vigorous-

tracted attention wherever he went. He lunged, able-bodied, oratorical combination tracted attention wherever he went. He was exceptionally dignified, but on Saturday evening when the riotous members were hurling paper balls and divers missiles at each other, he was struck a stinging blow on the back of the neck which brought nim so his feet. Turning about he requested the "boys" as he called them to fire no more in his direction. No sooner had he resumed his seat than he was again struck on the head, and springing to his struck on the head, and springing to his feet,he exclaimed to the young athlete whom he suspected: "See here young fellow; I am an old man

am sixty-three years of age, but if you throw another missile at me l'il thrash you

THE AGONY OVER. The scene in the capital last evening will never be forgotten, at least not by the gentlemen from Grand Forks and Jamestown, who came to Bismarck with jack-screws hand-spikes and large red wheels to give the capital a ride eastward. When at 8 o'clock President Foncher rapped the convention to order, the capital was crowded with anxious, interested and expectant Dakotans. There were the delegates of the majority aglow with sweet an-ticipation; the delegates of the minority ticipation; the delegates of the minority praying that an earthquake might arrive before the roll could be called, and in the gallery and lobby, corridors and halls was a vast assemblage of stalwart men and handsome youths, dimpled maidens and ladies fair, who had gathered to see the final contest over the location of the capital and the other public institutions. It was a memorable event an exemption of the capital and the other public institutions. It was a memorable event—an evening the will long live in the memory of Bismarck and a scene that is stamped indellibly upon the minds of the spectators. When the final vote was taken and the article locating the public institutions was adopted, the applause was of a kind that raised the roof for means of escape, went locating bounding out throug the quivering air, and closed in a brilliant display of sky-painting fireworks and innumerable volleys of dome splitting cheers.

A DARK HORSE SOLILOQUY. [Allenius at Fargo on the eve of the race for bernatorial nomination]. Allenius: Oh, ebony steed, dark charger of the

Why com'st thou not from out thy long, lon night. To give me warning of thy shape and power?

For weary months thy pre ence hath bee claimed. And yet I see thee not, save as thou speedst-A stygian phantom in m' fitful dreams

Who art thou? What thy breed? How hangs thy tail? Dost speed with bound of thoroughbred full-

Or dost thou amble through thy sunless vale, A mongrel spayined and unkempt of mane? Oh, shades of Proctor Knott, to think that I, The fairest racer that e'er sniffed the breeze Shouldst thus be haunted, though the jockeys say That I wilt win by lengths innumerable. Come forth, dark horse, that I mayst see Thee stride and hear thy groomer calling thee By name. Aye, what's thy name? When trained by drivers do they softly say, "Advance, 'Millerius,' thou Hambletonian pride; Or do thy shout, "G'long thou swift 'Fancherius, Thou prancing Clydesdale from the winding

Or do they say "Dickeysius," and thus belie, The name of darkness which thy color hast, And proof disclose that when the dark horse

'Twill be with brilliant and flambovant mane Ah, well, no more of this. E'er two more suns Sink 'neath the occident's be-purpled skies,

'Twill all be o'er. Aye, by the laughing Gods, let come who will.

WALLACE'S SPEECH AGAINST TIME. On Saturday last Wallace of Steele, wh was opposed to the gross earnings system of railroad taxation arose when that question was introduced and looking at the clock announced that he would speak against time, his object being to prevent vote on the question. It was a noble effort.

MR. PRESIDENT: I must say that the at tempt to foist the gross earnings system on this convention is to be deplored. [Pause of five minutes.] Mr. President I must say— [Pause of eight minutes.] I must say Mr. President, [and he did, after which there was a pause of tem minutes.] must say Mr. President, land ne did, atter which there was a pause of ten minutes.] Mr. President, 1 must—[fifteen minutes.] Mr. President, 1—[twenty-five minutes.] Mr. President, [twenty-five minutes.] Mr. Presi—[thirty minutes pause, during which his arms kept up an oratorical pantomime andat the close of which|he sank exhausted to his seat, amid tremendous applause.]

Yes, when he sank exhausted, there was tremendous applause. THE CRISIS.

[A Scene in the Capitol.] Purcellius: And here's Lauderius, the puffec and swollen youth. Whose head so great hath grown that he doth

That in it lies the all of earthly wisdom Stand back, Lauderius, thou man self-satisfied. Or by great Jupiter thou'lt find m' anxious

Playing sad havoc with thy common scalp. Oh, I couldst snatch thee from the face of earth And send thee headlong to eternal doom, Didst I not feel that by some wondrous magic Thou yet mayst change thy mad preposterou

Thou boor, thou ass, thou dignified buffoon. Thou bragging lout, thou proud and pompe not strike him dead,

And seek redemption from thy fellow man.

Who with his vicious speech and poisoned Lauderius dost give most foul abuse And who the man that uttereth this slander? Why, there he stands—Purcellius, the bold.

Move not, Purcellius, nor take a threate Or by the gods thoult wish thou ne'er had spe For I do swear that thou wilt mangled be If in thy folly thou dost tackle me.

Thon blubbering sage that shootest off mouth; Thou empty shouter who douth paw the air. Thou booby without equal north or south Thou dodo without reason, sense or hair.

Purcelline: Enough thou toad - prepare meet thy doom.

Lauderius: Back, men! No interference! Give they grapple amid great confus under command of Col. Mc

Hushsins and the gladiators are separted.] FRAGMENTS. It has evaporated. The constitutional convention of North Dakota has van-

which played a star engagement of fortyfive days in the capital is as invisible as a dream. The delegates who composed the convention and whose voices filled the halls of statesmanship with a vocal war have scattered to their homes, flitted back to the lairs from whence they came, returned to the constituents in whose name they practiced oratory for the fature frays and paralyzed the arm of the official stengrapher. They have flown to the founts of their political power, to the bailiwicks of their preferment, to prepare the fences through which the herds of their enemies have been driven during their absence and to ascertain the effect of their constitutional powders upon the health and humor of the sovereigns. Their departure was a study for those who witnessed their performance during the convention and who had caught glimpses of their plans through the flashing of their ambitions in the electric storms of debate. There was the man who had loved the dear people—in his lungs—who gave the convention "dear people" porradge for breakfast "dear people" dream. The delegates who composed the the man who had loved the dear people—in his lungs—who gave the convention "dear people" porradge for breakfast, "dear people" roasts for dinner, "dear people" scraps for supper, and is himself now floundering in the dear people consomme. He boarded the train with a reluctance that was pathetic, and with a far-away gaze that would bring tears to the eyes of an Egyptian mummy bid adieu to the capital forever. Then there was the delegate who depended more upon his own good judgment than upon the misculding beaconings of the spectre of fear, and that he was happy and light hearted is no surprise to the political obscrver. It was an interesting scene—the gay, the forlorn, the sedate political observer. It was an interesting scene—the gay, the forlorn, the sedate and the jovial, with gripsacks on their arms farewells on their lips,—smiling, frowning, jesting, solilloquizing, a panorama of emotions and

WHIN O'BRIEN HAS THE FLURE. [The following found in the gallery is another of the many proofs of the popularity of Judge J. F. O'Brien, of Devils Lake.] Oive sain the grand o-raters in convintional debate

An' listened to the Jahnsens an' the Moers wid voices swait:

Oive gazed upon the spaikers wid a wonderful deloight, An' admired the whoop of Bellicus when given in a foight:

Wid joy beyant expression have Oi harkened to the wurds Uv the girruls in the lobby-leike the twitterin'

An' the Bobertsons complacent an' Marrinans demure:

But Oi never knew what joy wuz till O'Brien took

Oh! there's music in the whirlwind whin i whistles from afar, An' the thunders have an iloquince whin all the

earth they jar; Oi love to he ear the linnet in his soft enthrancin

Or listen to the whip-poor-will at closin' av the But if you'd see me jubilant and hear the Mur-

phy's cheer, While all the gay O'Reitlys and Mulcahers shout "Hear, hear!"

Yez must come wid noiseless footfall and sofity ope the dure. Whin wid his full magnificence O'Brien

FOR SALE.

The following, found on Capitol hill last evening tells a pathetic tale:

FOR SALE:-Eight large wheels of the nost modern pattern. These wheels are capable of bearing an immense load as they were made for the purpose of removing the capital from Bismarck, and were con structed regardless of cost. Anyone desiring a bargain in wheels should not fail to call on. Yours most seriously,

J. W. Anderson, Grand Forks.

Enquiries may also be made of Judge Bennett and Mathews of Grand Forks.

CONTRACTS WANTED.

To capital removers:

We desire to call the attention of anyone lesiring to remove a state or territorial capital that we have a full equipment of tools for that purpose, including crow-bars, hand spikes, jack-screws and resolutions of indignation which we will rent at reduced rates. We also have a crew of well trained men who go with the tools, and as hey are now out of employment, they will work at the lowest living wages. Call out or address:

LLOYD and WADE,

Jamestown, Dakota.

P. S. Please remember that pay must not be conditional upon removal. Life is uncertain and we must have pay for the time tools and men are used. L. and W.

WHO WOULD HAVE THOUGHT IT

At the close of the consideration of the article locating the public institutions last evening, the sly and cunning Johnson of Lakota, introduced a section providing that a training school for dairymaids and coyboys be established at Medora, in the Bad Lands. Oh, thou Nelson county fox; thou schemer from away back. It has been known that Mr. Johnson had his whims and eccentricities, but little did we dream that his ambition was to be a cowboy and enter a training school with milkmaids. Oh, Johnson, thou old rascal.

AMONG THEM.

E.S. Rolfe, the ministerial joker from Minnewauken, the man with the face of a bishop and the heart of a sport, closed his engagement with all the inspiring and captivating charms of his musical attainments and boarded the train with a jauntiness that would have put a song and dance artist to envy. For versatality and persuasive charms Mr. Rolfe must wear the palm. As proof of his success we palm. As proof of his success we call attention to the fact that through his solemn lamentations on the floor and his frolicsome cunning in the twilight his district of 800 votes has twilight, his district of 800 votes senator and two representatives. "What's the matter with Rolfe?" Nothing but his camp meeting whiskers; and we have it on most reliable authority that hey are simply a "blind."

The record made by Mr. Miller as leader is one not to be forgotten by his opponents and his colleagues, Spalding and Lowell did work of which their county may be proud. In fact the Cass county delegation was a study. With the leadership of Miller, good, sound reasoning of Spalding! irresistible candor and popularity of Lowell added to the dignity of the venerable Chaffee, the honest speech of Enos Gray, and the spontaneous humor of the cherry-cheeked Addison Leach, it was a combination hard to beat. Nor should the youthful Clapp be overlooked. His rose-tinted face which is a perpetual boquet of perennial smiles cannot soon be forgotten, and his pointed queries in debate will be remembered for the good they accomplished in points of dispute. THE record made by Mr. Miller as leader

Whatever may have been the estimate of President Fancher when he was elected to preside, it must be admitted that he was a much stronger man when he laid down the gavel than when he took it up.

THE Cass county delegation returned with the banner of victory and with the exception of Messrs. Pollock the objector and Peterson the doubtful, were as jubilant as boys at a circus.

Here's to Delegate Blewett. For his un compromising consistency and admirable pluck, we admire him.

LOCAL POLITICS.

Burleigh County Republicans Meet and Place Their Legislative Nominees in the Field.

Col. Little For the Senate, Messrs. Williams and Rawlings For thh House.

E. S. Allen Nominated For Clerk of Court-Other News of Local Ieterest.

The Republican County Convention. [From Tuesday's Daily.]

Yesterday's republican county convention was another one of those harmonious gatherings for which the banner county of the Missouri slope has become noted of late. From sundry ante-convention mutterings it was expected that the convention might develop into something out of the ordinary, but it did not. There seemed but one impression prevalent, and that was that Mr. Winchester was the choice of the convention for sjudge of this district; that Col. Little should be nominated for the senate, and Messrs. Williams and Rawlings for the lower house. The sentiment for Mr. E. S. Allen for clerk of the court was equally strong. There was some difference of opinion as to who should compose the Fargo delegation, but all interests were harmonized as the convention proceeded with its work.

The convention was called to order by Mr. Winchester, chairman of the republican central committee.

Mr. Philbrick was elected temporary chairman and Messrs. H. A. Ball, of Sterling, and John Fort, of Bismarck, secreta-

On motion a committee on credentials and order of business was appointed by the chair as follows: E. S. Allen, J. F. Walace, C. W. Rawlings, M. H. Jewell and

The committee found no protests and only one precipct not represented.

The following delegates were found entitled to seats in the convention.

titled to seats in the convention.

Precinct No. 1.—M. H. Jewell, E. S. Allen J. P. Kenyon, F. D. Kendrick, M., McKenzie, B. Wilcox, T. K. Long.

Precinct No. 2.—F. V. Barnes, J. H. Marshail, H. P. Bogne, F. G. Whitaker, John Fort, John Homan,—Proxy of J. Homan to David Stewart.

Precinct No. 3.—J. F. Wallace, E. E. Morris proxy to W. J. Perkins.

Precinct No. 4.—L. N. Griffin, H. P. Wybrant, John White.

Precinct No. 5.—Norman Faulkner.

Precinct No. 6.—D. R. Holbrook.

Precinct No. 7.—John McKenzie.

Precinct No. 8.—Not represented.

Precinct No. 9.—R. M. Donnelly.

Precinct No. 10.—John Rogers.

Precinct No. 11.—D. W. Tyler.

Precinct No. 12.—Geo. Brooks, C. W. Rawlings.

Precinct No. 12.—Geo. Brooks, C. W. Rawlings.
Precinct No. 13.—John E. Tipper.
Precinct No. 14.—Wm. Nelson, H. S. Ball.
Precinct No. 15.—N. N. Gorsuch.
Precinct No. 16.—James T. McDonald proxy to J. F. Philbrick.
Precinct No. 17.—J. P. French.
Precinct No. 18.—C. E. Scribner, L. D. Judkins.

ndkins.
Precinct No. 19.—Oscar Ward.
Precinct No. 20.—H. R. Pickle.
Precinct No. 21.—E. A. Wade, F. A. Little.
Precinct No. 22.—S. A. Peterson, Oliver

Precinct No. 28.—Morris Anderson, Precinct No. Joseph Kennittle.

Joseph Kennittle.

Joseph Kennittle.

Joseph Kennittle.

The committee also recommended the following order of business for the con-. Appointment of committee on reso-

1utions.

2. Election of legislative ticket. 2. Election of legislative ticket.
3. Election of clerk of the district court.
4. Election of delegates to state convention at Mandan, D. T.
5. Election of delegates to state convention at Fargo, D. T.
6. Filling vacancies that exist in central committee.

7. Report of committees. report of the committee was

Mr. Gorsuch introduced the following resolution which was adopted:

Resolved, That whenever any name is presented to this convention for any position there shall be a pause and and a call for objections. If no objection is made the name shall be passed. To objection is made other names may be offered and then a ballot shall be taken and the person receiving the majority of all votes in the convention shall be elected.

Mr. Scribner introduced the following resolution which, upon motion of Mr. F. V. Barnes, was adopted by a rising vote and amid great enthusiasm:

amid great enthusiasm:

Be it resolved by the republicans of Burleigh county in convention assembled: That the legislative nominees of this convention be, and are hereby instructed, in case they are elected to the offices for which they have been nominated, to use every honorable means within their power to accomplish the election of Hon. Gilbert A. Pierce as a United States senator from the state of North Dakota. And further it is the expressed wish of this convention that all delegates created by it use their best endegvors in his behalf.

On motion the chaff was authorized to appoint a committee of three on resolutions.

appoint a committee of three on resolutions, Messrs. C. E. Scribner, T. K. Long and R.

Messrs. C. E. Scribner, T. K. Long and R. M. Donnelly were appointed.

The first order of business being the nomination of the legislative ticket. Mr. Long, in a very appropriate speech, nominated Col. C. B. Little for the state senate.

The nomination was made unanimous.

Mr. Donnelly, of Logan township, then nominated Mr. Geo. M. Rawlings for the lower house and in doing so made one of the most polished and appropriate speeches ever made in a nominating convention.

This nomination was also made by acciamation.

David Stewart nominated Hon. E. A. Williams as the other member of the lower house, and with the applause of the house for a second, the motion was also made by

M. H. Jewell then placed Mr. E. S. Allen in nomination for clerk of the court, and there being no other nominations he, too,

there being no other nominations he, too, was acclamated through.

A discussion at this time arose as to the manner of selecting a delegation to the Mandan judicial convention, and after stating that he believed that there was but one sentiment existing in the convention, Mr. Wallace nominated the following gentlemen—they being the ones named on a printed ticket in the hands of nearly every delegate: J. F. Philbrick, W. T. Perkins, H. B. Hibbs, W. P. Moffett, W. M. Wallace, J. F. Wallace and H. M. Manley.

Mr. Griffin moved that the delegates be voted for separately but the motion did not prevail and the above named gentlemen were elected by almost unanimons ballot.

Mr. Perkins moved that a committee of five be appointed whose duty it should be to suggest to the convention the names of seven delegates to attend the Fargo convention.

This was opposed by Mr. Gorsneh and

Fargo.

Objections were made to voting for the whole number at once. Mr. Jewell explained that he simply made these nominations and it would be in order for others to make nominations if they had candidates who they desired elected.

Mr. Donnelly then nominated Mr. W. H. Bratton.

Mr Donnelly then nominated Mr, W. H. Bratton.

It being the sense of the convention that each delegate shoutd be nominated and voted for separately. Messrs. Asa Fisher, Alex. McKenzle, Oscar Ward, S. A. Peterson, T. K. Long, W. H. Bratton and George Wentz were nominated and each as nominated, elected by acclamation.

A motion was then made to fill the vacancy on the central committee. This motion was opposed by Mr. Gorsuch who favored an entire new committee, but the original motion prevailed and Mr. Murdock McKenzle was elected to fill the vacancy caused by the resignation of Mr. Johnson. The committee on resolutions made the following report which was unanimously adopted:

Resolved by the republicans of Burleigh county in convention assembled at the city of Bismarck, on the 19th day of August, 1889, as follows:

The republicans of Burleigh county hereby declare their unswerving faith in and attachment to the principles of the republican party of the nation as shown by the management of the affairs of the nation by the present administration in power.

tion in power.

We heartily endorse the work of the constitutional convention of North Dakota, and pledge our unqualified support to the adoption by the people, of the proposed constitution. We appreciate the faithful services rendered by our delegates in that convention, Hon. E. A. Williams, Hon. John E. Carland and Hon, Harvey Harris in said convention and they are hereby extended a vote of thanks from this convention. It is the sense of this convention that the delegates elected to attend the state convention to be held at Fargo on the 29th instant be and the same are hereby instructed to vote as a unit in accordance with the wishes of a majority of said delegation.

The resolutions were adopted and the convention adjourned.

A Boom For Bismarck.

The correspondent of the Fargo Republican, sends the following to that paper, dated August 19th:

The first genuine sensation that has been enjoyed in commercial circles here for two years was created yesterday by the announcement that the Chicago, Milwaukee & St. Paul Railway company had a right of way agent in the field between Edgeley and Bismarck. It was ascertained as a fact that the company had actually made purchases for railway puractually made purchases for railway pur-poses in La Moure and Logan counties. The permanent location of the seat of gov-ernment at Bismarck is likely to cause the ernment at Bismarck is likely to cause the extension of the various northwestern lines to this point. It transpires that the citizens of Jamestown had received assurance that the Milwaukee would be extended from Edgeley to that city if they secured even the temporary location of the capital and there is now a good prospect of a race between the Milwaukee and the Manitoba to get a footing in the capital, and the Rock Island will probably not be very far behind. The spirited rivalry which existed between the Manitoba and the Northern Pacific a few years ago, in regard to Dakota business. is now surpassed between that prevailing between the Manitoba and the Milwaukee. The two companies are competing at Fargo, Aberdeen, Ellendale and other important points. Both want the lignite which is obtainable at this place, as well as the general freight and passenger traffic which is obtainable at this place, as well as the general freight and passenger traffic between the capital and central Dakota. It is believed that with the settlement of statehood and the capital location the Mil-waukee and the Manitoba will no longer hesitate about pushing their lines to Bis-march. marck.

The above is not the work of a Bismarck boomer nor can it be called one of the series of articles which appeared in the days when Bismarck had a new railroad for breakfast every day. It was written by a visitor in the city who was present at certain conferences of non-residents and he speaks authoritatively. Bismarck is now in a position to speak as she has never spoken before. The location of the capital of the state of North Dakota is no longer a question of debate. It is Bismarck and with the one objection of doubt removed why should not the Milwaukee and the Manitoba and the other great systems of railroads which are near this most inviting of all points in the northwest, make connections here with the transcontinental line.

The constitutional convention has ad-

journed, and the two months that will intervene before the meeting of the legis-lature will give the chamber of commerce an opportunity to do much good work for the city. True, politics will demand con-siderable attention, but material prosperity is of more importance to the community than political entertainment.

This is Bismarck's opportunity.

Many Inquiries.

From all parts of the country come inquiries regarding the price of real estate in Bismarck, and it is evident that the permanent location of the capital in this city has already had its effect in creating renewed interest in this, the most advertised, as well as the most promising city in the west. Some of the inquiries are from New Orleans, many are from New York and Boston, while the friends of Chicago capitalists have received numerous anxious communications. All inquire regarding the prices and demand in the real estate market and express a desire to be thoroughly informed regarding the city, its surroundings, population, wealth and prospects. A railroad from the south will bring with it all the capital and enterprise necessary to insure the building of a great city. has already had its effect in creating re-

Overlooked Congratulation.

The following message sent to the TRIBUNE office on the night the capital question was settled, and the public institutions located, has been overlooked:

MANDAN, N. D., August 16, 1889.
To the Tribune, Bismarck, N. D.:
Mandan and Bismarck "one and inseparable, now and forever." "Praise God from whom all blessings flow." Shake!
J. E. CAMPBELL.

Only a Difference of Opinion. Rapid City Journal: Strange how newspapers will differ. The Bismarck TRIBUNE refers to the action of the constitutional convention in locating its public institutions as its "crowning glory." The Grand Forks Plaindealer is of the opinion that it is the crowning intquity.

Britton vs. Bismarck Postoffice

It is a well known fact that Editor Britton of the McLean county Mail never loses seven delegates to attend the Fargo convention.

This was opposed by Mr. Gorsuch and several other delegates and Mr. Griffin moulder of public opinion. The postoffice moved as an amendment that Mr. Perkins boys got back at him in good shape the

be constituted a committee of one to select the delegates.

The amendment and the original motion were both voted down.

Mr. Kendrick introduced the following resolution instructing the delegates elected to the judicial convention for Mr. W. H. Winchester for judge, which motion was adopted unanimously:

Resolved, That the delegates elected to attend the 6th Judicial District Republican Convention to be held in the city of Mandan on the 24th day of August 1839 shall vite as a unit and they are hereby instructed to use all honorable means in their power to secure the nomination of Mr. W. H. Winchester for District Judge.

Mr. Jewell then placed in nomination messrs. Asa Fisher. Alex. McKenzie, T. K. Long, C. E. Scribner, S. A. Peterson, Oscar Ward, and Chas. Rodgers, for delegates to Fargo.

Objections were made to voting for the whole number at once. Mr. Jewell explained that he simply made these nominations and it would be in order for others.

McMunn-Andrews.

On Tuesday evening, the 13th inst, at the home of Mr. and Mrs. Wm. E. Andrews, in this city, occurred the very pleasant event of the marriage of their daughter. Miss Isadora Jane, with Mr. Slewellyn D. McMunn, of Minneapolis, Minn. The nuptial knot was tied by Rev. Geo, Kline, the pastor of the Baptist church, and was witnessed by a number of intimate friends. Following cordial congratulations, delicate refreshments were served, to which full justice was done. The evening was passed in delightful sociability. The newly wedded pair departed on the night train for Minneapolis, their future home. Both are well and favorably known. Earnest hope a are entertained that they may enjoy a long life of wedded bliss and prosperity. this city, occurred the very pleasant event

Minneapolis Exposition.

To persons desirous of attending the Minneapolis exposition special excursion tickets to Minneapolis and return at one fare, plus 25 cents for admission, will be sold at Bismarck on the following dates and subject to the limitations named:

August 20, 22, 24, 27, 29 and 31. September 3, 5, 17, 19, 21, 24, 26 and 28. Tickets sold on above dates are good going one day after date of sale, and for continuous passage, stamped at Minneapolis returning, but not later than midnight of first Monday following date of sale. Stopover not allowed in either direction.

John Davidson, Agent, Bismarck. Farmers' Alliance Meeting.

There will be a meeting of the Farmers Alliance, of Painted Woods, at Albert Richards. Ecklund township, on Saturday, September 7, at 6 o'clock p. m. Everybody invited.

Two hundred ewes at a bargain by F. A Little, Menoken.

Advice to Mothers.

Mrs. Winslow's Soothing Syrup should always be used for children teething. It soothes the child, softens the gums, allays all pain, cures wind colic, and is the best remedy for diarrhea. Twenty-five cents a bottle.

Self-defence Against a Dangerous Fee. Forewarned is not forearmed in the case of those who incur the risk of an attack from that dangerous foe, malaria, unprovided with a means of defense. But if those in peril are sided, sustained and reinforced with the great Settifying safeguard, Hostetter's Stomach Bit-Setifying safeguard, Hostetter's Stomach Bitsers, miasma, prolific breeder of ovils manifested in the shape of billions remittant and
chills and fever, ague cake, dumb ague, and
the calentura of the Istimus and Central
American coast, is nullified and rendered
farmless. Our western pioneer settiers and
aniners, dwellers in tropic lowlands, and visitants of and dwellers in malarious localities in
this country and many quarters of the globe,
have for years been acquainted with the fact
and are constantly provided with this unparalleled defensive medicine and remody. All
disorder of the stomach, liver and bowels,
sheumatic and kidney complaints and rheutentium are conquered by it.

BEST IN THE WORLD.

Further Great Cures of Skin Diseases by the Cuticura Remedies.

Boy one year and a half old. Face and body in a terrible condition, being covered with sores. Sulphur springs fail Cured by Cuticura Remedies.

Cured byCuticura Remedies.

I have used your Cuticura Remedies in two cases where it proved to be successful. The first was in the case of a boy a year and a half old. His face and body were in a terrible condition, the former being completely covered with sores. I took him to the Massena Salphur Springs, but he did not improve any. It was then advised to try the Cuticura Remedies, which I did. He took one and one-half bottles of Cuticura Recolvent, when his skin was as smooth as could be, and is to-day. I used the Cuticura on his sores and the Cuticura oap in washing him. He is now five years of age and all right. The other case was a disease of the scalp, which was cured by washing with the Cuticura Boap and rabbing in the Cuticura, one bottle of Cuticura Recolvent being used. They have proved successful in every case where I have advised the use of them. It is surprising how rapidly a child will improve under their treatment. I recommend them for any disease of the skin as being the best in the world. This is my experience, and I am ready to stand by my statement.

JOHN R. BERO,

American House, Hoganzburgh, N. Y.

An Unbearable Skin Disease Cured,
I have been afflicted since last March with a
skin disease the doctors called Eczems. My
face was covered with scabs and sores, and the
itching and burning were almost unbearable.
Yeeing your Cuticura Remedies so highly recommended, concluded to give them a trial, using
the Cuticura and Cuticura Soap externally and
Resolvent internally for four months. I call myself cured, in gratitude for which I make this
public statement.

MRH. CLARA A EDEDORMOR An Unbearable Skin Disease Cured.

ment. MRS. CLARA A. FREDERICK, Broad Brook, Conn

Cuticura Remedies

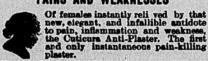
Cure every species of torturing, humiliating, itching, burning, scaly and pimply discusses of the skin, scalp and blood, with loss of bair, and all humors, blotches, eruptions, sores, scales, crusts, whether simple, scrotulous or contagious, when physicians and all other known remedies

fail.

Sold everywhere. Price, (uticura, 50c; Soap, 25c; Resolvent, \$1. Prepared by the Potter Drug and Chemical Corporation, Boston.

By Bend for "How to Cure Skin Dis ases," 64 pages, 50 illustrations and 100 testimonials. BABY'S Skin and Scalp preserved and beau-tified by Cuticura Soap. Absolute-

PAINS AND WEAKNESSES



EIGHTH

You should read THF CHICAGO DAILY NEWS because everybody likes it—it will not disappoint your needs. It takes
into its purpose the farmer and
mechanic, as well as the merchant and professional man.
Every farmer can now have
daily market reports instead of
weekly, and at little more than
the old-time price of his weekly.
The mechanic can now afford
both price and the time for his
daily paper. The poor may
now be as well informed on currest affairs as the rich. Intelligence is within the reach of all.
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independent, non-partisan, fair
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This powder never varies. A marvel of purity strength and wholesomeness. More economical than the ordinary kinds, and can not pe sold in competition with the multitude of low test, short weight alum or phosphates powders, Sold only in cans, Royal Baking Powder Co.,

108 Wall Street, N. Y.

TNPRECEDENTED ATTRACTION! OVER A MILLION DISTRIBUTED.



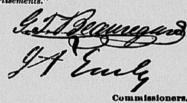
Louisiana State Lottery Company Incorporated by the Legislature, for Educational and Charitable purposes, and its franchise made a part of the present State Constitution, in 1879, by an overwhelming popular vote.

Its Mammoth Drawings take place Semi-Annually, (June and December), and its Grand Single Number Drawing takes place in each of the other ten months of the year, and are all drawn in public, at the Academy of Music, New Orleans, La.

FAMED for TWENTY YEARS

For Integrity of Its Drawings, and Prompt Payment of Prizes. Attested as follows:

"We do hereby certify that we supervise the arrangements for all the Monthly and Semi-Annual Drawings of The Louisana State Lottery Company, and in person manage and control the Drawings themselves, and that the same are conducted with honesty, fairness, and in good faith toward all parties, and we authorize the Company to use this certificate, with facsimiles of our signatures attached, in its advertisements."



GRAND MONTHLY DRAWING.

t the Academy of Music, New Orleans, Tuesday, September 10, 1889.

CAPITAL RRIZE, \$300,000. 100,000 Tickets at \$20 each; Halves \$10;

Quarters \$5; Tenths \$2; Twentieths \$1.
LIST OF PRIZES.
1 PRIZE OF \$800,000 is \$300,000
1 PRIZE OF 100,000 is 100,000
1 PRIZE OF 50,000 is 50,000
1 PRIZE OF 25,000 is 25,000
2 PRIZES OF 10,000 are 20,000
5 PRIZES OF 5,000 are 25,000
25 PRIZES OF 1,000 are 25,000
100 PRIZES OF 500 are 50,000
200 PRIZES O & 300 are
500 PRIZES OF 200 are 100,000
APPROXIMATION PRIZES.
100 Prizes of \$500 are \$50,000
100 Prizes of 300 are 30,000
100 Prizes of 200 are 29,000
TERMINAL PRIZES.
999 Prizes of \$100 are \$99,900
999 Prizes of 100 are 99,900
3,134 Prizes amounting to\$1,054,800
NOTE—Tickets drawing Capital Prizes are not entitled to terminal prizes.

AGENTS WANTED.

FOR CLUB RATES, or any further informa-tion desired, write legibly to the undersigned, clearly stating your residence, with State. County, Street and number. More rapid return mail de-livery will be assured by your enclosing an En-velope bearing your full address. IMPORTANT.

Address M. A. DAUPHIN, New Orleans, La., or M. A. DAUPHIN, Washington, D. C.

By ordinary letter, containing Money Order issued by all Express Companies, New York Ex-change, Draft or Postal Note Address registered letters containing currency to

NEW ORLEANS NATIONAL BANK, New Orleans, La. "Remember, that the payment of Prizes is GUARANTEED BY FOUR NATIONAL BANKS of New Orleans, and the Tickets are signed by the President of an Institution, whose chartered rights are recognized in the highest Courts; therefore, beware of all imitations or appropria scheme?"

Courts, therefore, beware of all limitations of anonymous schemes."

ONE DOLLAR is the price of the smallest part or fraction of a Ticket ISSUED BY Us in any Drawing. Anything in our name offered for less than a Dollar is a swindle.

[First publication Aug. 23, 1889.] Notice of Homestead Final Proof.

LAND OFFICE AT BISMARCK, DAK., Aug. 17, 1880.

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 October 2. 1839, viz.

CHARLES H. ALBERTSON, for the south ¼, northeast ¼, southeast ¼, north-west ¼ and lot 2, section 18, township 138 north, range 77 west

He names the following witnesses to prove his continuous residence upon, and cultivation of, said land, viz:

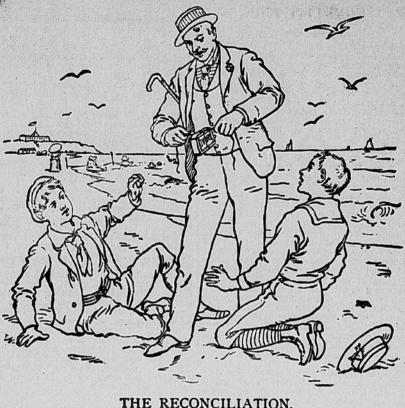
Bobert R. Marsh, Joseph Dietrich, Bismarch, D. T.; John Hamilton, Menoken, D. T.; George S. Brooks, McKenzie, D. T.

OSCAR E. REA, Begister.

Proposals for Excavation and Fill.

aled proposals will be recieved at the office of the County Auditor of Burleigh county, D. T., until August 26th, 1889, at 2 o'clock p. m., for an excavation and fill to be made at Lawrence crossing of Apple Creek, about four and a half miles from Bismarck. There are about 3,200 cubic yards of earth to be removed. Bidders will state the amount per cubic yard. Any information in regard to the work will be

furnished by the county commissioners or the Dated this 12th day of August, 1889. B. B. MARSH.



Two urchins strolling on the beach, Beside the tranquil sea,

Beheld a pearly block, and each Cried, "That belongs to me!" And both at once with eager hands. Began to scramble in the sands.

Like alabaster pure and white, Upon the pebbled shore.

That treasure lay, a lovely sight, And well worth fighting o'er; Long struggled the contending twain The prize so coveted to gain.

Lo, while they strove, a stranger tall,

Strode quickly to the spot, He stooped beside the champions small,

And took the prize, I wot ;-Then spoke in solemn voice and slow, "Ye both are richer than you know."

Then with a string he did divide That precious cake, and smiled: "'Tis Ivory Soap, share it with pride;

My lads, be reconciled!" Each took his half and went his way,

Oh, rich and happy boys were they.

A WORD OF WARNING.

There are many white soaps, each represented to be "just as good as the 'Ivory';" they ARE NOT, but like all counterfeits, lack the peculiar and remarkable qualities of the genuine. Ask for "Ivory" Soap and insist upon getting it.

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MADE ONLY BY GEO. A. MACBETH & CO. PITTSBURGH, PA

Proposals for Building Bridges.

Sealed proposals will be received at the office of the County Auditor of Burleigh county, Dakota territory, until Monday, the 26th day of August, 1889, at 2 o'elock p. m., when sa'd proposals will be opened in presence of the public for the construction of the following bridges, viz: One low truss iron, wood or combination pridge 60-foot span in the clear with 18-foot roadway, to rest upon iron piling or stone abutments. about four and one-half miles from station at Bis marck: one low truss, iron, wood or combination bridge, 40-foot span, with 18-foot roadway, to rest upon iron piling or stone abutments, about wenty-four miles from station at Bismarck; one low truss, iron, wood or combination bridge: 25toot span, with 18-foot roadway, to rest upon iron piling or stone abutments, about twentyfive miles from station at Bismarck, and one low truss, iron, wood or combination bridge, 2'-foot span, with 18-foot roadway, to r st upon iron piling or stone abutments, about twenty-six miles from station at Bismarck. Any information in regard to said bridges will be furnished on application to Gus W. Johnson, Painted Woods, R. R. Marsh, or M. J. Edgerly, Bismarck,

Dated: August 5, 1889.

R. R. MABSH, County Auditor [First Publication Aug. 23, 1889.]

In the court of Anglesey holden at Llangefni Holyheed and Menai Bridge, between Margaret Day es (wife of John Davies) and Jane Rob-erts, plaintiffs,

Holyhead and Menai Bridge, between Margaret Dav es (wife of John Davies) and Jane Roberts, plaintiffs,

and

Robert Hugh Roberts and Elizabeth Williams, infants by Elien Roberts, their guardian and next friend, defendants.

To Robert Roberts, now or late of Medors, Dakota, in the United States of America, and to Elizabeth Roberts, now or late of Medora, aforesaid, and formerly of Llanddevsant, in the county of Anglesey,

Take notice, that by an order of the court made in the above action on the 9th day of July, 1889, it was ordered that the freeho d hereditaments and premises known as "Ivy Hall," in Llanddevsant, in the county of Anglesey, be sold upon the terms and conditions of a contract made between the plaintiff, Margaret Davies, and one John Jones, for the sum of £112, to be paid into court to the credit of the above action; and further take notice that the 9th day of October, 1889, has been fixed as the time after which the proceeds of the said sale are to be distributed, and that you, and each of you, are required personally or by solicitor to prove your claim to share in the distribution of the said proceeds of sale to the stianction of the Registrar of the court at his office, attaste at Llangefni, in the said county of Anglesey; on or before the 20th day of September, next, otherwise your, and each of your claims to participate in such distribution will be bound by the proceedings of the above action in the same manner as if you and each of you had originally been made parties to it and that you may attend the proceedings under the said order and that you may within one month after the publication of the saver said order and that you may within one month after the publication of the devertisement, apply to the court to add to the order.

General Termination of the Court.

GRIFFITH DAVIES DAW,
Registrar of the Court.
Dated this 25th day of July, 1889.

[First Publication Aug. 23, 1899.] Summons.

TERRITORY OF DAKOTA, | 88. District court, Six h judicial distric'. Lou s Peterson, plaintiff,) Eric Levin, Defendant,

The Territory of Pakota to the above named defendant, gre ting: The Territory of Pakota to the above named defendant gre ting:

YOU, Elic Levin, are hereby summoned and required to answer the complaint in the above entitled action, which is filed with the clerk of said ourt, and to serve a copy of y ur answer to the said complaint, on the subscriber, at his other in the city of Bismarck, in the c anty of urleigh and territory aforesaid, within thiry days after the service of this summons upon you exclusive of the day of such service; and if you fail to answer the said compaint within the time aforesaid, the plaintiff in this action will take judgme t against you far the sum of one hundred and thirty dollars (\$130), and interest thereon from July 25, 1888, at 12 per cent. per sumum upon your fromissory note.

Pated Bismarck, D. T., July 26, A. D. 1889.

George T. Webster.

Plaintiff's attorney, Bismarck, D. T., the summons ind complaint in the above ause were duly field in the office of the clerk of the district court of Burleigh county, D. T., on the 27th day or July, A. ..., 1889.

OLIVER H. HOLY.

O. P. M. JAMISON.

Cerk of to rt. Attorney for Plaintiff, By ISANC Ress, Deputy.



For "run-down," debilitated and overworked women, Dr. Pierce's Favorite Prescription is the best of all restorative tonics. It is a potent pecific for all those Chronic Weaknesses and the best of all restorative tonics. It is a potent specific for all those Chronic Weaknesses and Diseases peculiar to Women; a powerful, general as well as uterine, tonic and nervine, it imparts vigor and strength to the whole system. It promptly cures weakness of stomach, nausea, indigestion, bloating, weak back, nervous prostration, debility and sleeplessness, in either sex. It is carefully compounded by an experienced physician, and adapted to woman's delicate organization. Purely vegetable and perfectly harmless in any condition of the system.

WARRANTED

"Favorite Frescription" is the only medicine for women, sold by druggista, under a positive guarantee of satisfaction in every case, or price (\$1.00) refunded. This guarantee has been printed out for many years.

For large, illustrated Treaties on Diseases of Women (160 pages, with full directions for home-treatment), send ten conts in stamps.

Association, 688 Main Street, Buffalo, N. Y.

RESS-800DS & CLOTHING

We can save you money if you will state what you want and send to for samples. We carry an elegant and complete stock of filling, Break-Greeks and Cleaks for sale to consumers at lowest figures. You cannot duplicate our prices in Center Buits and Overceats which can be sent subject to approval upon receipt of smouth money to guarantee return charges. We send rules for self-measurement free. We import our material and major our privagely. make our own paragots.

Sixow with a first life, Chicago, Ill.

CONSTITUTION.

[Continued From Page 6.1

[Continued From Page 6.]
bilities now existing or hereafter and prior to the taking effect of this agreement incurred, except those heretofore or hereafter incurred on account of public institutions, grounds or buildings, except as otherwise herein specifically provided.

The State of South Dakota shall pay to the State of North Dakota \$46.500, on account of the excess of Territorial appropriations for the permanent improvement of territorial institutions which under this agreement will go to South Dakota, and in full of the undivided one-half interest of North Dakota in the territorial library, and in full settlement of unbalanced accounts, and of all claims against the territory, of whatever nature, legal or equitcounts, and or all claims against the territory, of whatever nature, legal or equitable, arising out of the alleged erroneous or unlawful taxation of Northern Pacific Railroad lands, and the payment of said amount shall discharge and exempt the State of South Dakota from all liabilities for on account of the several matter bar or on account of the several matters here-inbefore referred to; nor shall either state inbefore referred to; nor shall either state be called upon to pay or answer to any portion of liabilities hereafter arising or accruing on account of transactions here-tofore had, which liability would be a liability of the Territory of Dakota had such territory remained in existence, and which liability shall grow out of matters connected with any public institutions, grounds or buildings of the territory situated or located within the boundaries of the other state.

the other state. A final adjustment of accounts shall be A final adjustment of accounts shall be made upon the following basis: North Dakota shall be charged with all sums paid on account of the public institutions, grounds or buildings located within its boundaries on account of the current appropriations since March 9, 1889, and South Dakota shall be charged with all sums paid on account of public institutions, grounds or buildings located within its boundaries on the same account and during the same time. Each state shall be charged with one-half of all other expenses of the grounds or buildings located with his boundaries on the same account and during the same time. Each state shall be charged with one half of all other expenses of the territorial government during the same time. All moneys paid into the treasury during the period from March 8, 1889, to the time of taking effect of this agreement by any county, municipality or person within the limits of the proposed state of North Dakota, shall be credited to the State of North Dakota; and all sums paid into said treasury within the same time by any county, municipality or person within the limits of the proposed State of South Dakota shall be credited to the State of South Dakota; except that any and all taxes on gross earnings paid into said treasury by railroad corporations since the 8th day of March, 1889, based upon earnings of years prior to 1888, under and by virtue of the act of the Legislative Assembly of the Territory of Dakota, approved March 7, 1889, and entitled, "An act providing for the levy and collection of taxes upon property of railroad companies in this territory," being Chapter 107 of the Session Laws of 1889, (that is, the part of such sums going to the Territory), shall be equally divided between the states of North Dakota and South Dakota, and all taxes heretofore or hereafter paid into said treasury under and by virtue of the act last mentioned, based on the gross earnings of the year 1888, shall be distributed as already provided by law, except that so much thereof as goes to the territorial treasury shall be divided as follows: North Dakota and South Dakota so much thereof as shall be or has been paid by railroads within the limits of the proposed State of North Dakota, and South Dakota so much thereof as shall be or has been paid by railroads within the limits of the proposed State of North Dakota, and South Dakota so much thereof as shall be or has been paid by railroads within the limits of the proposed State of North Dakota, and South Dakota so much thereof as shall be or has been paid by railroads State of North Dakota, and South Dakota so much thereof as shall be or has been paid by railroads within the limits of paid by railroads within the limits of the proposed State of South Dakota; each state shall be credited also with all balances of appropriations made by the Seventeenth Legislative Assembly of the Territory of Dakota for the account fof the public institutions, grounds or buildings situated within its limits, remaining unexpended on March 8, 1889. If there shall be any indebtedness except the indebtedness represented by the bonds and refunding warrants hereinbefore mentioned, each state shall at the time of such final adjustment of accounts assume such final adjustment of accounts assume its share of said indebtedness as determined its share of said indebtedness as determined by the amount paid on account of the public institutions, grounds or buildings of such state in excess of the receipts from counties, municipalities, railroad corporations or persons within the limits of said state, as provided in this article; and if there should be a surplus at the time of such final adjustment, each state shall be artitled to the amounts received from

the debts and liabilities of the Territory of Dakota as is declared by the foregoing agreement to be its proportion thereof, the same as if such proportion had been originally created by said State of North Dakota as its own debt or liability.

SEC. 204. Jurisdiction is ceded to the United States were the military reservations. United States over the military reservations of Fort Abraham Lincoln, Fort Buford, Fort Pembina and Fort Totten, heretofore declared by the President of the United States; provided, legal process, civil and criminal, of this state, whall extend ever such reservations in all shall extend over such reservations in all cases in which exclusive jurisdiction is not vested in the United States, or of crimes not committed within the limits of such reservations.

tions or persons within its limits over a above the amount charged it. And the state of North Dakota hereby obligates itself to pay such part of the debts and liabilities of the Territory of

hereby accepts the several grants of land granted by the United States to the State of North Dakota by an act of congress North Dakota by an act of congress entitled "An act to provide for the division of Dakota into two states, and to enable the people of North Dakota, South Dakota, Montana and Washington to form Constitutions and state governments, and to be admitted into the Union on equal footing with the original states, and to make donations of public lands to such states," under the conditions and limitations therein mentioned; reserving the right however to ap-ply to congress for modifications of said conditions and limitations in case of neces

ARTICLE XVII. MISCELLANEOUS.

SEC. 206. The name of this state shall be "North Dakota." The State of North Dakota shall consist of all the territory included within the following boundaries, towit: Commencing at a point in the main channel of the Red River of the North, where the forty-ninth degree of north lati-tude crosses the same; thence south up the main channel of the same and up the main channel of the same and along the boundary line of the State of Minnesota to a point where the Seventh Standard parallel intersects the same; thence west along said Seventh Standard parallel produced due, west so a point where it intersects the twenty-seventh meridian of longitude west from Washington; thence north on said meridian to a point where it intersects the forty ninth degree of north latitude: thence

meridian to a point where it intersects the forty ninth degree of north latitude; thence east along said line to place of beginning.

SEC. 207. The following described seal is hereby declared to be and hereby constituted the Great Seal of the State of North Dakota, to-wit: A tree in the open field, the trunk of which is surrounded by three bundles of wheat; on the right a plow, anvil and sledge; on the left a bow crossed with three arrows, and an Indian on horseback pursuing a buffalo towards the setwith three arrows, and an Indian on horse-back pursuing a buffalo towards the set-ting sun; the foliage of the tree arched by a half circle of forty two stars, surrounded by the motto "Liberty and Union now and forever, one and inseparable;" the words "Great Seal" at the top; the words "Bate of North Dakota" at the bottom; "October is!" on the left and "1889" on the right. The seal to be two and one half inches in diameter.

inches in diameter.
SEC. 208. The right of the debter to enjoy the comforts and necessaries of life shall be recognized by wholesome laws, exempting from forced sale to all heads of families a homestead, the value of which shall be limited and defined

state.

SEC. 210. All flowing streams and natural water courses shall forever remain the property of the state for mining, irrigating and manufacturing purposes.

SEC. 211. Members of the Legislative Assembly and judicial department except such inferior officers as may be by law exempted shall, before they enter on the duties of their respective offices, take and subscribe the following oath or affirmation: "I do solemnly swear (or affirm as the case may be) that I will support the Constitution of the United States and the Constitution of the State of North Dakota; and that I will faithfully discharge the duties of the tion of the State of North Dakota; and that I will faithfully discharge the duties of the office of according to the best of my ability. so help me God," (if an oath), (under pains and penalties of perjury), if an affirmation, and no other oath, declaration, or test shall be required as a qualification for any office or public trust.

SEC. 212. The exchange of "black lists" between corporations shall be prohibited.

SEC. 213. The real and personal property of any woman in this state, acquired before marriage, and all property to which she

marriage, and all property to which she may after marriage become in any manner rightfully entitled, shall be her separate property and shall not be liable for the

ARTICLE XVIII.

CONGRESSIONAL AND LEGISLATIVE AP PORTIONMENT.

Sec. 214. Until otherwise provided by law, the member of the House of Representatives of the United States apportione to this state, shall be elected at large.

Until otherwise provided by law, the senatorial and representative districts shall be formed, and the senators and the representatives shall be apportioned as fol-

The First District shall consist of the twinships of Walhalia, St. Joseph, Neche, Pembina, Bathgate, Carlisle, Jollet, Mid-land, Lincoln and Drayton, in the county of Pembina, and be entitled to one senator and two representatives.

The Second District shall consist of the

The Second District shall consist of the townships of St. Thomas, Hamilton, Cavalier, Akra, Beauleau, Thingvalla, Gardar, Park, Crystal, Elora and Lodoma, in the county of Pembina, and be entitled to one senator and two representatives.

The Third District shall consist of the townships of Perth, Latona, Adams, Silvesta, Cleveland, Morton, Vesta, Tiber, Medford, Vernon, Golden, Lampton, Eden, Medford, Vernon, Golden, Lampton, Eden, Rushford, Kensington, Dundee, Ops, Prairie Center, Fertile, Park River and Glenwood, in the county of Walsh, and be entitled to one senator and two representatives.

tives.

The Fourth District shall consist of the townships of Forest River. Walsh Center. Gratton, Farmington, Ardock, Village of Ardock, Harrison, City of Grafton, Oakwood, Martin, Walshville, Pulaski, Acton, Minto and St. Andrews, in the county of Walsh, and be entitled to one senator and three representatives.

The Fifth District shall consist of the townships of Gilby. Johnstown, Straban.

townships of Gilby, Johnstown, Straban, Wheatfield, Hegton, Arvilla, Avon, Northwood, Lind, Grace, Larimore, and the city of Larimore, Elm Grove, Agnes, Inkster, Elkmount, Oakwood, Niagara, Moraine, Lo gan and Loretta in the county of Grand Forks, and be entitled to one senator and

Forks, and be entitled to one senator and two representatives.

The Sixth District shall consist of the Third, Fourth, Fifth and Sixth wards of the city of Grand Forks, as now constituted, and the townships of Falconer, Harvey, Turtle River, Ferry, Rye, Blooming, Meckinock, Lakevill and Levant in the counry of Grand Forks and be entitled to one senator and two representatives.

The Seventh District shall consist of the First and Second wards of the city of The Seventh District shall consist of the First and Second wards of the city of Grand Forks, as now constituted, and the townships of Grand Forks, Brenna, Oakville, Chester, Pleasant View, Fairfield, Allendale, Walle, Bentru, Americus, Michigan, Union and Washington, in the county of Grand Forks, and be entitled to one senator and two representatives.

tives.

The Eighth District shall consist of the county of Traill and be entitled to one counties, municipalities, railroad corpora-

senator and four representatives.

The Ninth District shall consist of the township of Fargo and the City of Fargo in the County of Cass and the fractional township number 139 in range 48, and be entitled to one senator and two representatives. representatives.
The Tenth District shall consist of the

townships of Noble, Wiser, Harwood, Reed, Barnes, Stanley, Pleasant, Kenyon, Gardner, Berlin, Raymond, Mapleton, Warren, Norman, Elm River, Harmony, Durbin, Addison, Davenport, Casselton and the City of Casselton, in the County of Cass, and be entitled to one senator and three representatives.

representatives.
The Eleventh District shall consist of the The Eleventh District shall consist of the townships of Webster, Rush River, Hunter, Arthur, Amenia, Everest, Maple River, Leonard. Dows, Erie, Empire, Wheatland, Gill, Walburg. Watson, Page, Rich, Ayr, Buffalo, Howes, Eldrid, Highland, Rochester, Lake, Cornell, Tower, Hill, Clifton and Pontiac, in the county of Cass, and be entitled to one senator and three representatives.

tatives.

The Twelfth District shall consist of the county of Richland and be entitled to one senator and three representatives.

The Thirteenth District shall consist of the county of Sargent and be entitled to one senator and three representatives.

The Fourteenth District shall consist of the county of Ransom and be entitled to one senator and two representatives. one senator and two representatives. The Fifteenth District shall consist of the county of Barnes and be entitled to

one senator and two representatives.

The Sixteenth District shall consist the counties of Szeele and Griggs and entitled to one senator and two represent-

The Seventeenth District shall consist of the county of Nelson and be entitled to one senator and one representative. The Eighteenth District shall consist of

the county of Cavalier and be entitled to one senator and two representatives.

The Nineteenth District shall consist of the counties of Towner and Rolette and be entitled to one senator and one representative.
The Twentieth District shall consist

the counties of Benson and Pierce and be entitled to one senator and two represent-The Twenty-first District shall consist of

the Twenty-first District shall consist of the county of Ramsey and be entitled to one senator and two representatives. The Twenty-second district shall con-sist of the counties of Eddy, Foster and Wells and be entitled to one senator and

two representatives.

The Twenty-third district shall consist The Twenty-third district shall consist of the county of Stutsman, and be entitled to one senator and two representatives.

The Twenty-fourth district shall consist of the county of La Moure, and be entitled to one senator and one representative.

The Twenty-fifth district shall consist of the county of Dickey, and be entitled to one senator and two representatives.

The Twenty-sixth District shall consist of the counties of Emmons, McIntosh, Logan and Kidder, and be entitled to one senator and two representatives.

ARTICLE XIX.

PUBLIC INSTITUTIONS.

Sec. 215. The following public institu-SEC. 215. The following public institutions of the state are permanently located at the places hereinafter named, each to have the lands specifically granted to it by the United States, in the Act of Congress approved February 22, 1889, to be disposed of and used in such manner as the Legislative Assembly may prescribe, subject to the limitations provided in the article on school and public lands contained in this Constitution. Constitution

School and public lands contained in this Constitution.

First. The seat of government at the city of Bismarck in the county of Burleigh. Second. The State University and the School of Mines at the city of Grand Forks, in the county of Grand Forks.

Third. The Agricultural College at the city of Fargo in the county of Cass.

Fourth. A State Normal School at the city of Valley City, in the county of Barnes; and the Legislative Assembly in apportioning the grant of eighty thousand acres of land for Normal schools made in the Act of Congress referred to shall grant to the said Normal School at Valley City as aforementioned, fifty thousand (50,000) acres, and said lands are hereby appropriated to said institution for that purpose.

Fifth. The Deaf and Dumb Asylum at Fifth. The Deaf and Dumb Asylum at the city of Devils Lake, in the county of

Ramsey. Sixth. A State Reform School at the city Sixth. A State Reform School at the city of Mandan, in the county of Morton.

Seventh. A State Normal School at the city of Mayville, in the county of Traill. And the Legislative Assembly in apportioning the grant of land made by Congress, in the act aforesaid for State Normal Schools, shall assign thirty thousand acres to the institution hereby located at Mayto the institution hereby located at May

ville, and said lands are hereby appropria ted for said purpose.

Eighth. A State Hospital for the Insane and an Institution for the Feeble-Minded, in connection therewith, at the city of Jamestown, in the county of Stutsman. And the Legislative Assembly shall appropriate twenty thousand acres of the grant of land made by the act of Congress aforesaid for "Other Educational and Charitable Institutions" to the benefit and for the endowment of said institution.

endowment of said institution.

SEC. 216. The following named public institutions are hereby permanently located as hereinafter provided, each to have so much of the remaining grant of one hundred and seventy thousand acres of land made by the United States for "Other Educational and Charitable Institutions," as is alloted below, viz:

First. A Soldiers' Home, when located, or such other charitable institution as the

Legislative Assembly may determine at Lis bon, in the county of Ransom with a grant of forty thousand acres of land. Second. A Blind Asylum, or such other institution as the Le islative Assembly may

determine, at such place in the county of Pembina as the qualified electors of said county may determine at an election to be held as prescribed by the Legislative As-sembly, with a grant of thirty thousand

acres.
Third. An Industrial School and School for Manual Training, or such other educational or charitable institution as the Legislative Assembly may provide, at the town of Ellendale in the county of Dickey, with a grant of forty thousand acres.

Fourth. A School of Forestry or such other institution as the Legislative Assembly may determine at a tableau in second

ply may determine, at such place in one of the counties of McHenry, Ward. Bottineau, or Rolette, as the electors of said counties may determine by an election for that pur-pose, to be held as provided by the Legisla-

pose, to be held as provided by the Legislative Assembly.

Fitth. A Scientific School, or such other educational or charitable institution as the Legislative Assembly may prescribe, at the city of Wahpeton, county of Richland, with a grant of forty thousand acres.

Provided, that no other institution of a character similar to anyone of those located. character similar to any one of those located by this article shall be established or main-tained without a revision of this Constitu-

ARTICLE XX.

tion.

PROHIBITION.

To be submitted to a separate vote of the people as provided by the schedule and ordinance.

ordinance.
SEC. 217. No person, association or corporation shall within this state manufac ture for sale or gift, any intoxicating liquors and no person, association or corporation shall import any of the same for sale or gift, or keep or sell or offer the same for sale or gift, barter or trade as a beverage. The Legislative Assembly shall by law prescribe regula-tions for the enforcement of the provisions of this article and shall thereby provide suitable penalties for the violation thereof.

SCHEDULE.

SECTION 1. That no inconvenience may arise from a change of territorial govern-ment to state government, it is declared that all writs, actions, prosecutions, claims and rights of individuals and bodies corporate shall continue as if no change of government had taken place, and all processes which may, before the organization of the judicial department under this Constitution be issued under the authority of the Territory of Dakota shall be as valid as if issued in the name of the State.

Sec. 2. All laws now in force in the Ter-

ritory of Dakota, which are not repugnant to this Constitution, shall remain in force

until they expire by their own limitations or be altered or repealed.

SEC. 3. All fines, penalties, forfeitures and escheats accruing to the Territory of Dakota shall accrue to the use of the States of North Dakota and South Dakota and may be sued for and recovered by either of

of North Dakota and South Dakota and may be sued for and recovered by either of said states as necessity may require.

Sec. 4. All recognizances, bonds, obligations or other undertakings heretofore taken, or which may be taken before the organization of the judicial department under this Constitution, shall remain valid, and shall pass over to, and may be prosecuted in the name of the State; all bonds, obligations or other undertakings executed to this territory, or to any officer in his official capacity, shall pass over to the proper state authority, and to their successors in office, for the uses therein respectively expressed, and may be sued for and recovered accordingly; all criminal prosecutions and penal actions which have arisen, or may arise before the which have arisen, or may arise before the organization of the judicial department, under this Constitution, or which shall then shall be pending, may be prosecuted to judgment and execution in the name of the State.

SEC. 5. All property, real and personal,

and credits, claims and choses in action belonging to the Territory of Dakota at the time of the adoption of this Constitution, shall be vested in and become the property of the States of North Dakota and South Dakota.

the county of Dickey, and be entitled to one senator and two representatives.

The Twenty-sixth District shall consist of the counties of Emmons, McIntosh, Logan and Kidder, and be entitled to one senator and two representatives.

The Twenty-seventh District shall consist of the county of Burleigh, and be entitled to one senator and two representatives.

The Twenty-eighth District shall consist of the counties of Bottineau and McHenry and be entitled to one senator and one representative.

The Twenty-ninth District shall consist of the counties of Ward, McLean, and all of the counties of Ward, McLean, and all the unorganized counties lying north of SEC. 6. Whenever any two of the judges

by law, and a reasonable amount of personal property; the kind and value shall be fixed by law. This section shall not be construed to prevent liens against the homestead for labor done and materials furnished in the improvement thereof, in such manner as may be prescribed by law.

Sec. 200. The labor of children under the counties of Morton and Oliver. Shall consist of the counties, of Mercer, Stark and Billings, and all the unorganized counties lying state.

Sec. 210. All dowing streams and not representative.

When ver the judge of the district court of any district clected under the provisions of this Constitution shall have qualified in his office, the several causes then pending in the district court of the territory within any county in such district, and the records, papers and proceedings of said district court, and the seal and other property pertaining thereto, shall pass into the jurise south of the Missouri river, and be entitled to one senator and one representative.

Sec. 210. All dowing streams and retains the fixed by law.

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Sec. 210. All dowing streams and retains the fixed by law.

Sec. 210. All dowing streams and retains the fixed by law.

Sec. 210. The Historic shall consist of the district court of the territory within any office, the several causes then pending in the district court of the territory within any office, the several causes then pending in the district court of the territory within any office, the several causes then pending in the district court of t this Constitution shall have qualified in his office, the several causes then pending in the district court of the territory within any county in such district, and the records, papers and proceedings of said district court, and the seal and other property pertaining thereto, shall pass into the jurisdiction and possession of the district court of the state for such county, except as provided in the enabling act of Congress, until the district court of this territory shall be superseded in the manner aforesaid, the said district court and the judges thereof shall continue with the same juristhereof shall continue with the same jurisdiction and power to be exercised in the same judicial districts respectively as here-tofore constituted under the laws of the

Territory.

SEC. 7. Until otherwise provided by law, the seals now in use in the supreme and district courts of this territory are hereby declared to be the seals of the supreme and declared to be the seals of the supreme and district courts respectively of the state. SEC. 8. Whenever this Constitution shall go into effect, the books, records and papers and proceedings of the probate court in

go into effect, the books, records and papers and proceedings of the probate court in each county, and all causes and matters of administration and other matters pending therein, shall pass into the jurisdiction and possession of the county court of the same county, and the said county court shall proceed to final decree or judgment, order or other determination in the said several matters and causes as the said probate court might have done if this Constitution had not been adopted. And until the election and qualification of the judges of the county courts provided the judges of the county courts provided for in this Constitution, the probate judges shall act as the judges of the county courts within their respective counties, and the seal of the probate court in each county shall be the seal of the county court there-in, until the said court shall have prosured a proper seal.

SEC. 9. The terms "probate court" or

SEC. 9. The terms "probate court" or "probate judge" whenever occuring in the statutes of the territory shall, after this Constitution goes into effect, be held to apply to the county court or county judge. SEC. 10. All territorial, county and precinct officers, who may be in office at the time this Constitution takes effect, whether holding their offices under the authority of the United States or of the territory, shall hold and exercise their respective offices, and perform the duties thereof as prethe United States or of the territory, shall hold and exercise their respective offices, and perform the duties thereof as prescribed in this Constitution, until their successors shall be elected and qualified in accordance with the provisions of this Constitution, and official bonds of all such officers shall continuous forms. cers shall continue in full force and effect as though this Constitution had not been adopted; and such officers for their term service, under this Constitution, shall reservice, under this Constitution, shall receive the same salaries and compensation as is by this Constitution, or by the laws of the territory, provided for like officers; provided, that the county and precinct officers shall hold their offices for the term for which they were elected. There shall be elected in each organized county in this state, at the election to be held for the ratification of this constitution, a clerk of the district court, who shall hold hed for the radication of this constitution, a clerk of the district court, who shall hold his office under said election until his successor is duly elected and qualified. The judges of the district court shall have power to appoint states attorneys in any organized county where no such attorneys have been elected, which appointment shall continue until the general election to be held in 1890 and until his successor is

Sec. 11. This Constitution shall take ef fect and be in full force immediately upon the admission of the territory as a state. Sec. 12. Immediately upon the adjournment of this Convention, the Governor of the Territory, or in case of his absence or failure to act, the Secretary of the Territory, or in case of his absence or failure to act, the President of the Constitutional Convention shall issue a proclamation, which shall be published and a copy thereof mailed to the chairman of the board of county commissioners of each county call-

elected and qualified.

of mailed to the chairman of the board of county commissioners of each county, calling an election by the people on the first Tuesday in October. 1889, of all the state and district officers created and made elective by this Constitution. This Constitution shall be submitted for adoption or rejection at said election to a vote of the electors qualified by the laws of this territory to vote at all elections. At the election provided for herein the qualified voters shall vote directly for or against this Constitution and for or against the article separtution and for or against the article separ-

SEC. 13. The board of commissioners of the several counties shall thereupon order notice thereof to be given for the period of 20 days in the manner provided by law. Every qualified elector of the territory, at the date of said election, shall be entitled to vote thereat. Said election shall be conducted in all respects in the same manner as provided by the laws of the territory for general elections, and the re-turns for all state and district officers, and members of the Legislative Assembly, shall be made to the canvassing board here-inafter provided for. inafter provided for.

SEC. 14. The Governor, Secretary and Chief Justice or a majorty of them, shall constitute a board of canvassers to canvass the vote of such election for all state and district officers and members of the Legis-lative Assembly. The said board shill assemble at the seat of government of the territory on the fifteenth day after the day of such election (or on the following day if such day fall on Sunday), and proceed to canvass the votes on the adoption of this Constitution and for all state and district officers and members of the Legislative Assembly in the manner provided by the laws of the territory for canvassing the vote for Delegate to Congress, and they shall issue certificates of election to the shall issue certificates of election to the persons found to be elected to said offices severally, and shall make and file with the Secretary of the territory an abstract certified by them, of the number of votes cast for or against the adoption of the Constitution, and for each person for each of said offices and of the total number of votes cast in each county.

in each county.
SEC. 15. All officers elected at such election shall, within sixty days after the date of the executive proclamation admitting the State of North Dakota into the Union, take the oath required by this Constitution, and give the same bond required by the law of the territory to be given in case of like officers of the territory and districts, and shall thereupon enter upon the duties of their respective offices; but the Legislative Assembly may require by law all such officers to give other or further bonds as a condition of their continuance in office.

condition of their continuance in office.

SEC. 16. The judges of the district court who shall be elected at the election herein provided for shall hold their offices until the first Monday in January, 1893, and until their successors are elected and qualified. All other state officers, except judges of the supreme court, who shall be elected at the election herein provided for, shall hold their offices until the first Monday in January, 1891, and until their successors are their offices until the first Monday in January, 1891, and until their successors are elected and qualified. Until otherwise provided by law the judges of the supreme court shall receive for their services the salary of four thousand dollars per annum, payable quarterly; and the district judges shall receive for their services the salary of three thousand dollars per annum, payable quarterly.

quarterly.
SEC. 17. The Governor elect of the state immediately upon his qualifying and entering upon the duties of his office shall issue his proclamation convening the Legislative Assembly of the state at the Legislative Assembly of the state at the seat of government, on a day to be named in said proclamation, and which shall not be less than fifteen nor more than forty days after the date of such proclamation. And said Legislative Assembly after organizing shall proceed to elect two senators of the United States for the State of North Dakota; and at said election the two persons who shall receive a majority of all the votes cast by the said senators and representatives shall be elected such United States senators. And the presiding officers of the senate and house of representatives shall each certify the election to the Governor and Secretary of the Constitution of the State of North Dakota; and as a senator of the same volume the Declaration of Independence, the Constitution of the United States and the Enabling Act.

Liconston purposed to make arrangements for the meeting of the mult may be put whole into the Pan needing no Pounding as in other Mills. The low-make arrangements for the meeting of the make arrangements for the meeting of the make arrangements for the meeting of the make arrangements for the meeting of the meeting

SEC. 19. It is hereby made the duty of the Legislative Assembly at its first session to provide for the payment of all debts and intebtedness authorized to be incurred by the Constitutional Convention of North Dakota, which shall remain unpaid after the appropriation made by Congress for the same shall have been exhausted.

SEC. 20. There shall be submitted at the SEC. 20. There shall be submitted at the same election at which this Constitution is submitted for rejection or adoption, Article 20 entitled "prohibition," and persons who desire to vote for said article shall have written or printed on their ballots "For t Prohibition," and all persons desiring to vote against said article shall have written or printed on their ballots "Against Prohibition." If it shall appear according to the returns herein provided for that a majority of all the votes cast at said election for and against prohibition are for prohibition, then said Article 20 shall be and form a part of this Constitution and be in full force and effect as such from the date of the admission of this state into the Union. But if a majority of said votes shall appear according to said returns to be against prohibition, then said Article 20 shall be null and void, and shall not be a part of this Constitution.

SEC. 21. The agreement made by the Joint Commission of the Constitutional Conventions of North Dakota and South Dakota concerning the records, books and archives of the Territory of Dakota is same election at which this Constitution is

Dakota concerning the records, books and archives of the Territory of Dakota, is hereby ratified and confirmed; which agreement is in the words following: That

s to say:
The following books, records and arch ives of the Territory of North Dakota, to-wit: All records, books and archives in the offices of the Governor and Secretary of the Territory (except records of Articles of Incorporation of Domestic Corporations, returns of election of Delegates to the Constitutional Convention of 1889, for South Dakota, returns of elections held under the so called Local Option Law, in counies within the limits of South Dakota ties within the limits of South Dakota, bonds of Notaries Public appointed for counties within the limits of South Dakota, papers relating to the organization of counties situate within the limits of South Dakota, all which records and archives are a part of the records and archives of said Secretary's office; excepting also, census returns from counties situate within the limits of South Dakota and papers relating returns from counties situate within the limits of South Dakota and papers relating to requisitions issued upon the application of officers of counties situate within the limits of South Dakota, all which are a part of the records and archives of said Governor's office). And the following records, books and archives shall also be the property of the State of North Dakota, to wit:

Vouchers in the office or custody of the auditor of this territory relating to expenditures on account of public institutions, grounds or buildings situate within the limits of North Debots of the control of the cont grounds or buildings situate within the limits of North Dakota. One warrant regis ter in the office of the treasurer of this ter ritory, being a record of warrants issued anory, being a record of warrants issued under and by virtue of Chapter 24 of the laws enacted by the Eighteenth Legislative Assembly of Dakota territory. All letters, receipts and vouchers in the same office now filed by counties and pertaining to counties within the limits of North Dakota. Paid and canceled coupons in the same of fice representing interest on bonds of South Dakota.

All other records hooks and archives

All other records, books and archives which it is hereby agreed shall be the property of South Dakota, shall remain at the Capitol of North Dakota until demanded by the of North Dakota until demanded by the Legislature of the State of South Dakota, and until the State of North Dakota shall have had a reasonable time after such de mand is made to provide copies or abstracts of such por ions thereof as the said State of North Dakota may desire to have copies or abstracts of

said State of North Dakota may desire to have copies or abstracts of.

The State of South Dakota may also provide copies or abstracts of such records, books and archives, which it is agreed shall be the property of North Dakota, as said State of South Dakota shall desire to have covies or abstracts of have copies or abstracts of.

The expense of all copies or abstracts of records, books and archives which it is herein agreed may be made, shall be borne equally by said two states.

SEC. 22. Should the counties containing lands which form a part of the grant of law to refund moneys paid for such lands or any of them by purchasers thereof at tax sales thereof, based upon taxes illegally levied upon said lands, then and in that case the state of North Dakota shall appropriate the sum of \$25,000, or so much thereof as may be necessary to reimburse said counties for the amount so received from said illegal tax sales and paid by said counties into the treasury of Dakota said counties into the treasury of Dakota Territory, which said State of said counties into the treasury of Dakota Territory, which said State of North Dakota is to assume and pay. Reports of gross earnings of the year 1888 in the same office, made by corporations operating lines of railroads situated wholly or mainly within the limits of North Dakota. Records and papers of the office of the Public Examiner of the second district of the territory. Records and papers. office of the Public Examiner of the second district of the territory. Records and papers of the office of the District Board of Agriculture Records and papers in the office of the Board of Pharmacy of the district of North Dakota.

All records, books and archives of the Territory of Dakota which it is not herein agreed shall be the property of North Dakota, shall be the property of South Dakota, shall be the property of South Dakota.

kota.

The following books shall be copied and the copies shall be the property of North Dakota and the cost of such copies shall be bakota and the cost of such copies shall be borne equally by said States of North Da-kota and South Dakota. That is to say: Appropriation Ledger for years ending November 1889-90—one volume. The Auditor's Current Warrant Register

one volume.
Insurance Record for 1889—one volume
Treasurer's Cash Book—"D."
Assessment Ledger—"B."

Dakota Territory Bond Register-one olume. Treasurer's Current Ledger-one vol-The originals of the foregoing volumes

The originals of the foregoing volumes which are to be copied shall at any time after such copying shall have been completed be delivered on demand to the proper authorities of the State.

SEC. 23. This Constitution shall after its enrollment be signed by the President of this Convention and the Chief Clerk thereof and such delegates as desire to sign the same, whereupon it shall be deposited in the office of the Secretary of the Territory, where it may be signed at any time by any delegate who shall be prevented from signing the same for any reasons at from signing the same for any reasons at the time of the adjournment of this convention.

SEC. 24. In case the territorial offi cers of the Territory of Dakota, or any of them who are now required by law to report to the Governor of the Terlaw to report to the Governor of the Territory, annually or biennally, shall prepare and publish such reports covering the transactions of their offices up to the time of the admission of the State of North Dakota into the Union, the Legislative Assembly shall make sufficient appropriations to pay one-half co the cost of such publication.

A NEWSPAPER OF 1719.

A LITTLE WEEKLY WHICH PRINTED NEWS FOUR MONTHS OLD.

An Account of a Highwayman's Dastardly Deed-A Humming Editorial Opinion. The Inhabitants of Queen's County Run a Horse Race-Some Queer "Ads."

In these days when the modern newspaper counts its circulation by tens of thousands and even prints millions of copies a week, it is interesting to take a peep into the files of an ancient newspaper, such as The American Week-ly Mercury, the first paper published in Pennsylvania. The venture was made by Andrew Bradford about Jan. 1, 1719, and was one of the earliest newspapers in America. Newspapers were something the colony had managed to get along without from the time of its found-ing, thirty-seven years before. The news from "home" came in only three or four times a year, and then the whole town flocked to the water edge to hear the intelligence, already three months or more old. As for local matters, the crier had a monopoly of lost and found, strays, etc. Nevertheless Bradford's little sheet soon gained a reputation through-out the surrounding country. That many of its readers were in New York is evinced by the fact that on March 1, 1719, the day of publication was changed so as to permit catching the weekly New York post leaving Thursday morning.

For many years the paper was but a single leaflet, 8x11 inches, though on occasions when extraordinary news was received The Mercury came out in folio form, in many cases with the fourth page blank, the supposition being that there was not enough to fill up.

THE NEWS COLUMNS. in the way of news, our forefathers were not rattled and worried with what had happened the previous day in London, Paris or Timbuctoo, or even by the doings of the Go-thamites. Time mellows all tidings, and the thamites. Time mellows all tidings, and the week between New York and Philadelphia, as well as the four months' age of all European news took away much of its keenness. The edition of April 14, 1720, is given up for the most part to a letter dated Hamburg, Dec. 15, 1719, while the following week a corresponding space is devoted to intelligence from Bologna, under date of Dec. 4, 1719.

Outside of the foreign "news" there is very little else except reports of clearances at New York and Philadelphia, together with Bos-ton market quotations. Then in each and every issue is told the latest ravages of the "pyrates," as the English were pleased to call their adversaries, the Spanish. Few weeks passed without half a dozen captures being recorded, always in favor of the pirates, who, it would seem, must have swarmed along the whole Atlantic coast. Now and then a Spaniard or two were seized by our men, and in one instance it is related with great gusto how several were brought to Philadelphia and immediately taken out to execution. Before suffering death, however, one of the prisoners called for a glass of wine, which being furnished he drank to the confusion and amnation of the English and the mayor of the city.

Here is an excerpt from the issue of Thurs day, March 17, 1720, reproduced exactly as it

appears except in the use of the long s:

"About ten days ago, one Bradshaw, of
Duck Creek, in Kent County, Riding on the Road between Philadelphia and Darby, was met by four Highway men. Two on Horseback and two on foot. One of them rid up to the Said Bradshaw, Clapt a Pistol to his Brest and bid him deliver his Money or he was a dead Man, the other 3 having surrounded him and he seeing no other way of escape told them he had but two pistoles, and he hoped they would spare him something to bear his Expence on the Journey. They bid him Not to prate but deliver his Money or Damn him they would shoot him immediately. The poor Man was obliged to Comply. And as soon as they left him he went to Justice Springer, of Chester County, and made Oath to the said Robbery."

AMONG THE ADVERTISEMENTS. whatever is found in the paper, but there is an exception on Feb. 14, 1721, when Mr. Bradford gives a humming opinion of the unwise action on the part of the English authorities in transporting to this country 180 criminals who had recently landed at Annapolis. American air seemed even then to make our ancestors independent in their

On Feb. 21, 1721, William Burnett, governor of New York, visited Philadelphia and received a puff in The Mercury, while the following week's issue relates of a "famous horse race run for the sum of £60 between the inhabitants of Queen's county on the island of Nassau, and Samuel Bayard, a merchant of New York, where the latter won but little "

There was no electric sugar in the olden time, but South Sea stock was a booming success. A letter published in June, dated in London, March 24, relates that on the preceding day South Sea opened at 275, rose to 400 in an hour, fell to 380, 378, 370 and closed at 328. The next day it fell to 300. A publisher in London made £5,000 that day, while like amounts were realized by speculators in Mississippi stock.

After all, however, the advertisements in these old papers are more interesting than any other of their contents, reflecting, as they do, more views of the private life of the day. Take, for example, the following, re-

produced exactly as they appear:
"This Day Run away from John M'Comb,
Junier, an Indian Woman, about 17 Years of Age. Pitted in the face of a middle Stat-ure and Indifferent fatt, having on a Drugat Wastcoat and Kersey Petticoat of a Light Collour. If any person or persons shall bring the said Girle to her said Master shall be Re-

warded for their Trouble to their Content. Right Golden and Plain Spirit of Scurvy Grass sold at Fiffteen Pence per bottle by Francis Knowles over against the Court-House in Philadelphia."

"A very likely Negro Woman to be sold. Aged about 28 years, fit for Country or City Business. She can Card, Spin, Knit or Milk and any other Country work. Whoever has a Mind for the Said Negro may repair to Andrew Bradford."

"At the House of William Taylor Bras in Duke Street New York is to be Sold a Mill to grind Chocolat, it works in a cast Iron Round Pan 22 inches across 6 inches deep made like the bottom of a Bell and weighs upwwardsof two Hundred, the other part that works in it any person may see and try; it grinds three Pound an hour with greater Ease than any other Projection already Invented and likewise to what fineness they please. It is Capable of being set up to a much better advantage than it now is. Note the nut may be put whole into the Pan need-

BILL ARP ON COOKING.

THE COOK QUITS AND UNCLE WILL-IAM TAKES A HAND.

He Tells All About It and Also Discusses Other Subjects of a Domestic Character. He Unreservedly Expresses His Fondness for Better Half.

"Boast not thyself of to-morrow, for thou knowest not what a day may bring forth."
No, we don't. I dident know last night that Mrs. Angelina Peacock wouldent be here this morning. Nobody knew it until there was a tap at the door and a voice said Mrs. Peacock Nobody knew it until there was a sent me to tell you she sick—can't come no more for to cook till her get well." David saith: "Weeping may endure for a night, but joy cometh in the morning." That is so as a general thing, but right unart depends on whether the cook comes in the morning. No cook, no joy Mra Arp wasent well nohow, and so I persuaded her to be calm and serena, and let me manage the breakfast; and so I called Carl and Jessie, and we made a regular frolic of it, and had the best breakfast we

Mrs. Angelina Peacock can't compare with us when we take a notion to cook. She does her best, but she is old and rheumaty, and weighs about 250 pounds, and got fat and greasy while cooking in old Virginny befo' de wah. She is not the lovely maiden that Goldsmith wrote about in the Hermit, when

Furn, Angelina; ever dear. My charmer, turn to see.

That was another Angelina. I used to cry over her and wish that I was Edwin when he

TEACHING THE CITY GIRL TO MILE. Every member of a family ought to know how to cook. There is no other way of feel-ing independent. Let the cook quit if she wants to. It is no discredit to anybody to cook. It is about as honorable as it is to eat, and is more scientific and takes more brains. A hog can eat, but he can't cook. But I want it understood that I am not a standing candidate for that business. I just want my family to feel independent, so that when the cook quits it is not a case of utter despair. Our children have never rebelled against these domestic accomplishments. They can cook and milk the cow and make up the beds and make their own clothes, and are always willing to do it when there is a necessity.

I saw Carl milking the other evening, and

a sweet, pretty girl, who was no kin to him, was standing close by holding the bucket for him, and it did look so "confectionary," as Cobe says, that I wanted a photograph of the lactean scene. There was a Savannah girl up here not long ago, and she had never seen a cow milked and Carl had to explain to seen a cow milked and Carl had to explain to her the process, how that one teat was for sweet milk and one for buttermilk and one for cream and one for the calf, and the

sweet innocent believed it, every word.

But about this cooking business I am not uttering the sentiments of Mrs. Arp. She is constitutionally opposed to getting up early in the morning. She is willing to cook din-ner and supper, but has no liking for cooking breakfast nor washing the dishes. She is no great admirer of King Solomon either, and sometimes hints that his respect for women and children was very limited, for he wanted switches and thresh poles for the boys, and kept three or four hundred wives to wait on him, and his definition of a virtuous woman was, "She riseth while it is yet night and giveth food to her household." He actually wanted his wife to get up before day and go to cooking, while he alept until the bell rang

She thinks it enough for a mother to nurse and worry with raising eight or ten children, and after the crop is laid by she is entitled to rest, and I think so, too. She shan't cook if I can help it. She has made a thousand little garments and worked ten thousand button holes in her life, but, thank the good Lord, her eye is not dimmed nor her natural force abated. No; she shan't cook. Our colored nabor, Mrs. Fletcher, always come when she can, but she is raising a crop her-

But variety is the spice of life, and some how I like for something to happen that changes the monotony of things and gets up a otion and stimulates our energies. I like for the cook to quit and the washerwoman to strike once in a while. I like for the bucket to get into the well or a young cyclone to threaten us. I like for my vest buttons to come off and my under garments to get ragged so that Mrs. Arp will be sorry for me and beg me to buy some new clothes, and I can say with a sigh, I can't afford it, these will do me very well; it doesn't matter how I look. I like to work in the garden while the sun is hot and hear Mrs. Arp calling me from the window, "You had better come in the house; you will make yourself sick again working in that sun."

I like for her to hear mysterious sounds away in the night when deep sleep falleth upon a man but not upon a woman, and when she punches me in the side with her elbow I get up and meander bravely all through and around the house hunting for robbers and ghosts just to show her what a protector she She is going to St. Simons next week and I am going to stay at home. Some of her married children are going with her, and she is to chaperon the chaps or matron ize the party, or whatever you call it. I don't know whether she is going to lave in the salt sea wave or not, but I can see her now standing upon the beach and, with extended arm, repeating the speech of her school days:

Roll on, thou deep and dark blue ocean, roll— Ten thousand fleets sweep over thee in vain. Thou glorious mirror where the Almighty's form

Oh, she was a speaker, she was, and she is speaker yet. She speaks to me sometimes. I wish that every aspiring soul could go to St. Simons, or somewhere, and look upon the sea—the ocean. If a man has a soul how it expands it! How diminutive he feels in the ence of this mighty work of God! But hundreds go there just like they go to a circus. They have no new emotions, no increase of reverence and no decrease in their own conceit.—Bill Arp in Atlanta Constitution.

A Good Woman.

Mrs. Felicia Grundy Porter, who died at Nashville, Tenn., was one of the notable women of the south. She was a daughter of the late Felix Grundy, Van Buren's attorney general, and before the war was a leader in the brilliant society of the national capital. In the days of the war Mrs. Porter busied herself in establishing hospitals for the sick and wounded soldiers, and spent a great por-tion of her large fortune in this work. During the last quarter of a century her time has been devoted to charities.—Exchange.

A Grammatical Error. School room at public exhibition. Elderly Lady—Johnnie, what is the pre-ent third singular of "to flee!" Johnnie—He flees.

Elderly Lady-That's right. Now give the

perfect third singular.

Johnnie (promptly)—He has fleas.

Elderly lady is carried out in hysterica.

Little Prairie Dogs.

Maj. Benteen, who is spending his retirement in Atlanta, was one of the bravest frontier officers, and led part of the Custer expedition, which ended so fatally. He is a great observer of natural history, and his narrative of stories about animals is quite as brilliant as are his recitals of army incidents. "Not a blade of grass will grow," said he, "where a prairie dog takes up his abode.

"The prairie dog lives in burrows. The burrows run down to a depth of five or six feet, then they turn upward running near the surface of the ground for several feet. The reason they make this turn in the burrows is to prevent water from drowning them out, and to take more precautions they work the dirt up around the mouth of their burrows to the height of a foot, sometimes

"There are a great many mistakes concern ing the habits of these ingenious little anihis burrow he will crawl back into his burrow before he dies, but that is all a mistake. I have shot them while they would be in the mouth of their burrow and then took them out. Some think that a prairie dog enters his burrow at the coming of winter and remains there until spring calls him forth, but that is another mistake. I have seen them walking in the snow hunting for something to eat. They live on grasses and roots and prickly pear, or cactus, as it is called by some.

"The prairie dog is about the size of a fox

squirrel, and is almost the color of one. They are very destructive to crops. The farmers poison thousands of them, but it seems as if the old adage of killing one fly ten will take his place, has reference to the prairie dog. Another tale is told of the prairie dog—that the rattlesnake, the prairie owl and the prairie dog all live in the same burrow, but that is the greatest mistake of all. The owl and the rattlesnake do live in the towns, or rather the rattlesnake dies in the prairie dog town, for no sooner does he enter a burrow than the dogs collect and commence filling up the burrow, and if the rattler has gone too far to hear them his doom is sealed, but if he is near the mouth of the burrow he will come out as soon as possible. When the owl takes up his abode in a burrow the dog leaves it and goes to another burrow. They never try to fill up a burrow when an owl goes in, probably because they think there is not so much harm in an owl as there is in a rattle snake."—Atlanta Constitution.

Ventilation.

Perhaps few who have heard of the "Black Hole of Calcutta" know the terrible facts that have rendered the place famous and made it the synonym of all that is to be dreaded from foul air and overcrowding.

At 8 o'clock on the evening of June 20, 1756, 146 prisoners, officers and men, black and white, and of different nationalities, were thrust into a room eighteen feet square -with two windows on one of the four sides, heavily barred with fron—giving to each in-mate forty cubic feet of space. In ten hours 123 were found dead—only twenty-three

Another instance is where, in 1742, the high constable of Westminster, London, committed twenty-eight persons to prison, where they were thrust by the keeper into a hole six feet square and five feet ten inches high—the windows being close shut. In a very short time four of the inmates were suffocated. These facts show the poisonous effects of the human breath—or of respired air. Professor Brown Sequard has recently made some experiments that are not only highly interesting, but show why the expired air of man and animals is so deadly. From the condensed vapor of the expired air he produced a liquid so poisonous that when injected beneath the skin of rab-bits it produced almost instant death. This on he found to be not a microbe, but an alkaloid. His conclusions are that the expired air of all animals contains a poison more fatal than carbonic acid.

It is well for the people to understand these facts. They cry aloud for better ventilation and purer air—for less crowding in home and church, and hall and school room.-Board

Happy Husbands

It is a man's own fault if he is unhappy with his wife, in nine cases out of ten. It is a very exceptional woman who will not be all she can be to an attentive husband, and a more exceptional one will not be very disagreeable if she finds herself willfully neg-lected. It would be very easy to hate a man, who, having bound a woman to him, made no effort to make her happy; hard not to love one who was constant and tender; and when woman loves she always tries to ple great men of this world have often been wretched in their domestic relations, while mean and common men have been exceedingly happy.

The reason is very plain. Absorbed in

themselves, those who desire the world's ap-plause were careless of the little world at me, while those who had none of that egotism strove to keep the hearts that were their own, and were happy in their tenderness. No woman will love a man better for being renowned or prominent. Though he be the first among men, she will only be prouder, not fonder; and if she loses him through this renown, as is often the case, she will not even be proud. But give her love, appreciation, kindness, and there is no sacrifice she would not make for his content and comfort. The man who loves her well is her hero and her king. No less a hero to her though he is not one to any other; no less a king though his only kingdom is her heart and home. -Helen Fletcher in Herald of Health

The Champion Cyclone Story.

E. S. Wilson, a blacksmith of Ozark, has a relic of the Marshfield cyclone, which oc-curred on Sunday, April 18, 1890, that is a very remarkable curiosity. This witness of one of the freaks of the great storm is a black quart bottle, bent by some mysterious force into an elliptic circle, without a crack or break in the glass that the closest scrutiny can discover. The neck of the bottle actually touches the edge of the bottom, and the fact that the glass was not broken in any way by the strange force of the storm is shown by the test of its holding water or any oth fluid. By gradually turning the bottle as the water is poured in it can be nearly filled to its full capacity, so as to show the perfect soundness of the material. This bottle was ound by Mr. Wilson the day after the Marshfield disaster and examined by Profes sor Tice, who soon came to the scene of destruction to study the phenomena of the cyclone from a scientific standpoint. The amous meteorologist attributed the bending of the bottle to the force of electricity, an considered this one of the most wonderful results of the mighty agency at work in the storm cloud. The bottle was found in the wreck of one of the Marshfield drug stores. Mr. Wilson has been offered extravagant prices for the curiosity, but declines to part with the relic. — Ozark (Mo.) Cor. Globe

He Did Not Like the Game. A clergyman relates that he was once com

pletely nonplused by a youngster at a christ-ening. The child having been taken to church to be baptized, was so much disconcerted at the minister's sprinkling his face that he interrupted him by exclaiming: "Stop! I won't play!"—America.

Whatever can decrease the cost of or add to the productiveness of our crops adds to the comfort of our nomes. 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. Oid methods are giving way to new, old machines to later 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

Because a variety is new, however, is no evidence of its worth, as 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 introducer 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 Penn.

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 he anticipated, 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.

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 effectually 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 seldom weighs less than 64 pounds to the measured bushel. It yields a very large return of flour 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 Evertiti's High Grade Wheat: One pound by weil 40 to the relief the productiveness it is simply immense.

In the important matter of productiveness it is simply immense.

Price of Evertitt'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; hve bushels by express or freight, \$10.

How to Send Money: We prefer all re-

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.

What we Have to Sell.

You didn't know it, hey? We have ninety nine different colored glass, besides dry colors, colors in oil, colors in Japan. Linseed oil, boiled and raw, java oil, white lead, red lead, dry and in oil, French zinc, black, red, pearl, blue, green and steele smalts, plaster paris, whiting, glue, lamp black dry and in oil, alum, powder, gold flitter, diamond dust, bronzes, gold leaf, silver leaf ect, slating for blackboards, all kinds of varnishes, turpentine, shellac, both white and brown, brushes, sand paper, Japan sign plates, furniture polish, West's enamel dressing putty, putty knives, glazier's paint, Carbocrystal powder, moth wax, sheep clip snd death to lice. Church's improved alabastine in all the fancy shades, floor paint, the celebrated gutta percha paint, and storm windows, which you will soon need. Call or address,

FAUNCE & BROWN, Cor. 7th and Broadway, Bismarck.

Electric Belt Free.

To introduce it and obtain agents the un-To introduce it and obtain agents the undersigned firm will give away a few of their \$5 German Electric Belts invented by Prof. Van der Weyde, Pres. of the New York Electrical Society (U. S. Pat. 257,647) a positive cure for Nervous Debility, Rheumatism, Loss of power, etc. Address Electric Agency, P. O. Box 178, Brooklyn, N. Y. Write to them to-day.

Notice.

The partnership heretofore existing between Hugh Campbell and John W. Scott, under the firm name of Campbell & Scott is this day dissolved by mutual consent. Hugh Campbell assumes the liabilities of the firm and to him all debts due to it are ayable.

Hugh Campbell,
John W. Scott.

Giencoe, Emmons Co., Dakota, August

Consumption Surely Cured.

To the Editor: Flease inform your readers that I have a positive remedy for consumption. By its timely use thousands of hopeless cases have been permanently cured. I shall be glad to send two bottles of my remedy free to any of your readers who have consumption if they will send me their express and P. O. address. Respectfully, T. A. Slocum, M. C., 181 Pearl St., N. Y.

Look Here, Friend, are You Sick?

Do you suffer from Dyspepsia, Indigestion, Sour Stomach. Liver Complaint, Nervousness, Lost Appetite, Billiousness, Exhaustion or Tired Feeling, Pains in Chest or Lungs, Dry Cough, Night Sweats or any form of Consumption? It 20, send to Prof. Hart, 88 Warren St., New York, who will send you free, by mail, a bottle of Floraplexion, which is a sure cure. Send to-day.

All persons afflicted with dyspepsia find immediate relief by using Angostura Bitters, of Dr. J. G. B. Siegert & Sons. Ask your druggist.

A Fragrant Breath and Pearly Teeth.

Are easily attained, and those who fail to avail themselves of the means, should not complain, when accused of gross neglect. Sozodont will speedily eradicate the cause of a foul breath, beautifying and preserving the teeth to the oldest age.

CURE FITS

When I say cure I do not mean merely to stop them for a time and then have them return again. I mean a radical cure. I have made the disease of FITS, EPILEPSY, or FALLING SICKNESS a of Firs, Efficient, or Falliant Sickness a life-long study. I warrant my remedy to cure the worst cases. Because others have failed is no reason for not now receiving a cure. Send at once for a treatise and a Free Bottle of my infallible remedy. Give Express and Post Office. H. G. HOOT, M.C., 183 Pearl St., N.Y.

BOOT'S PURGATIVE PILLS cure

CASTORIA

for Infants and Children.

ed to children that ! recommend it as superior to any prescription anown to me." H. A. Ancura, H. D.,
111 So. Oxford St., Brooklyn, N. Y.

Art he is, "Lompact and the Hole

Costoria cures Colle, Constipation, Sour Stomach, Diarrhosa, Eructation Ellis Worms, gives sleep, and prom gestion. Without injurious medication.

THE CENTAUR COMPANY, 77 MUITAY Street, N. Y.

146 striken out as second-oded by the

RUSSELL & MILLER MILLING CO

BISMARCK ROLLER MILLS,

BISMARCK :: :: VALLEY CITY.

MANUFACTURERS OF THE CELEBRATED BRANDS OF FLOUR

"CLIMAX" and "GOLD BELT"

If you want good bread, ask your grocer or flour dealer for "CLIMAX" FLOUR.

Bran, Shorts and Middlings always in stock. Orders for large and small wholesale lots, by mell or otherwise, promptly attended to. Farmers can exchange good wheat for flour, shorts and bran you will save money by marketing your wheat personally at the mill.

JOHN P. HOAGLAND

Contractor and Builder.

WHOLESALE AND RETAIL

LUMBER. ALL KINDS OF BUILDING MATERIAL, ALSO HARD AND SOFT COAL.

Yards Corner Sixth and Main Streets, Bismarck, Dak.

LUMBER AND BUILDING MATERIAL---Wholesale and Retail.

BISMARCK, DAKOTA.

[First publication July 12, 1889.] Notice to Creditor .

In the matter of the estate of Gorham Thurber,

In the matter of the estate of Gorman deceased.

All persons having claims against Gorman 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, Boom 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 T PAINE,
Executors of the Estate of Gorham Thurber, de-

GEO. W. NEWTON, Attorney for Executors, Bismarck, D. T.

[First publication Aug. 16, 1889.] NOTICE OF SUMMONS.

TERRITORY OF DAKOTA, | 88 In District Court, Sixth Judicial District. William H. Behle, Plaintiff,

Augusta Behle, Defendant. The Territory of Dakota to the above named De

dant, greeting YOU, Augusta Behle, are hereby summoned and required to answer the complaint in the above entitled action, which will be filed with the clerk of the court and to serve a copy of with the clerk of the court and to serve a copy of your answer to the said complaint, upon the subscribers at their office in the city of Bismarck, in the county of Burleigh and territory aforesaid, within thirty days after the service of this summons upon you, exclusive of the day of such service, and if you fail to answer the said complaint within the time aforesaid, the plaintiff in this action will apply to the court for the relief demanded in the complaint.

Dated July 25, A. D. 1889.

CARLAND & HANITCH.

Plaintiff's Attorneys.

I do hereby certify that the complaint in the entitled action was filled in this office this August 6th, 1889.

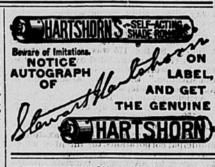
OLIVER H. HOLT,
By Island Ross,
Deputy.

[First publication Aug. 16, 1889.] Trustee's Sale.

Trustee's Sale.

WHEREAS, the Bismarck Electric Light and Power company did on the first day of Descember, A. D. 1887, in order to secure the payment of twenty-five bonds of said company of one thousand dollars each, payable January 1, 1898, with interest at 7 per cent. per annum, execute and deliver a mortgage deed of trust to the Capital National bank of Bismarck, Dakota territory, for the benefit of the holders of said bonds. And whereas, it was provided in said mortgage deed of trust that if the interest on said bonds should remain in default for the period of six months after it became due, then said trustees, ithe Capital National bank fof Bismarck, should declare the whole sum secured by said mortgage deed of trust due and upon the written request of a majority of the holders of said bonds secured by said mortgage deed of trust, should enter upon and take poseesion of all and singular, the premises, rights, and franchises thereby conveyed or intended to be conveyed, and each and every part thereof, and sell the same at Bismarck, Dakota territory, at public auction to the highest bidder for cash, in order to pay the amount due on said bonds, after paying expenses of sale. And whereas the interest on said bonds has remained unpaid for more than six months since the same became due; Now, therefore, notice is hereby given that by virtue of the said mortgage deed of trust, and the written authority of a majority of the holders of said bonds, the undersigned trustee has declared the whole sum payable on said bonds doe, and has taken iposeesion of all and singular the property described in said instrument, and will sell the same at public auction to the highest bidder for cash, at the front door of the court house in the city of Bismarck, in the territory of Dakota, on the 20th day of September, A. D. 1889, at the hour of 2 o clock p. u. of said bonds, which at the date of this notice amounts to twenty-six thousand, nine hundred sthirty-nine and 58-1001 dollars, together with interest and costs and expense of s

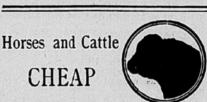
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BENNET SEMINARY A first-class Boarding and Day Socol for the education of young ladies. Standard raised. COLLEGE FOR CULTURE For equested wodee re for better culture. Address President D.
S. GREGORY, Bennet Semirary, Minneapolis,
Minn.







One or more city lots buys a horse, buggy and harness. \$150 buys a team of 3-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 1/4 blood Clyde stallion colt. \$350 buys 36 blood Clyde stallion colt.

\$5 for the services of the Norman stallion "Haunibal." No insurance against accidents. I sell on long time and will exchange

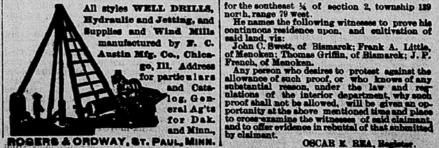
some stock for real estate. My office is with O. H. Holt, insurance agent, near the depot. GERALD PIERCE

Bismarck, N. D.

DAVIS

Bismarck, Dak.

Will make your proof and loan you money as All styles WELL DRILLS



[First publication July 5th, 1889.]

Notice of Mortgage Sale.

MORTGAGOR, Beason P. Stitt; mort.

MORTGAGOR, Beason P. Stitt; mort.

Mortgage, Annette P. Duna; mortgage dated
December 4th, 1888, and recorded in the office
of the Register of Deeds, Burleigh county,
Dakota, on the 4th day of December, 1888,
at 2:15 o'clock, p. m., in book 60 of
mortgages, page 111. Mortgaged premises, the
southeast one-quarter of the north-east onequarter (sex) of nex), the east one-half of the
southeast one-quarter (e): of sek) and the
southeast one-quarter (e): of sek) and the
southeast one-quarter (e): of sek) and the
southwest one-quarter of the southeast one-quarter (sw): of sek) of section twenty (20), in
township one hundred and forty-one (141) north,
range eighty (80) west of the 5th principal meridian, together with all the buildings and improvements situate thereon in Burleigh county, Dakota territory. Default having been made in the
conditions of said mortgage, the mortgage
elects and declares the principal note, which said
mortgage was given to secure, to be due and payable; amount claimed to be due at date of this
notice is two hundre—and hinety-one and eight
one-hundr-dths (\$291.08) dollars, notice is hereby given that default having been made in the
payment of said sum of money, said mortgage
will be foreclosed by sale of said mortgage
will be said mortgage
will be said mortgage
will be said mortgage
will be said mo

(First publication July 12, 1889.)

In Probate Court.

TERRITORY OF DAKOTA, } se In the matter of the Estate of W. H. W. Comer.

To whom it may concern:

To whom it may concern:

NOTICE is hereby given that James A. Comer, administrator of the estate of W. H. W. Comer, deceased, has presented and filed in said court his final account and report of his administration of said estate, and staring that said estate is ready for distribution, and praying for a final settlement thereof and an order for distribution, and on the 26th day of Angust, A. D. 1899, at the hour of ten o'clock a. m. of that day, at the court room in the city of Bismarch, in said county of Eurleigh, has been appointed as the time and place for the settlement of said account and report and petition for distribution, and for the confirmation of the devise of the real estate described in the last will and testament of W. H. W. Comer, deceased.

Witness my hand and seal of said court hereto affixed this 8th day of July A. D. 1899.

JOHN F. PHILBHOK,
Judge of Probate.

Notice of Sale of Bonds.

NOTICE is hereby given that up to noon, August 15, A. D. 1889, the board of county ioners of Edmunds county, Dakota ter ritory, will receive sealed bids for \$10,000 bonds in denominations of \$1,000, said bonds to be issued under chapter 42, session laws of 1889, to bear interest at 7 per cent., payable annually, redeemable after ten years and payable at expira-tion of fifteen years. J. W. PARMLEY,

County Clerk. Dated at Ipswich, Dak., July 3, 1869.

> [First Publication July 5, 1889.] Notice of Mortgage Sale.

MORTGAGORS, Robert S. Feagles and Mary A. Feagles, (his wife); Mortgagee, Daniel Steele. Mortgage dated August 28, 1896, and recorded in the office of the register of deeds, Burleigh county, Dakota territory, on the first day of September, A. D. 1896, at 2 o'clock p. m., in book 60 of mortgages, page 31. Mortgaged premises: The southeast quarter (s. e. ½) of section two (2), township one hundred and thirtynine (189) north, range seventy-eight (78) west of the fifth principal meridian, containing one hundred and sixty acres (160), according to the United States government survey, in Burleigh county, Dakota territory. Amount claimed to be due on said mortgage at date of this notice is five hundred and thirty-eight and thirteen one-hundredths (\$338 13-100) dollars. Default having been made in the conditions of said mortgage by which the power of sale therein contained has become operative, and no action or proceeding at law or otherwise having been instituted to recover the debt secured by said mortgage, or any part thereof, notice is hereby given that said mortgage will be foreclosed and the premises therein described will be sold at public auction to the highest bidder for cash, to satisfy said debt, with interest, and the costs and expenses of this foreclosure, which raid sale will be made by the sheriff of said nurleigh county, in the city of Blamark, Dakota territory, on Monday, the 19th day of August, 1889, at 2 o'clock p. m. tory, on Monday, the 19th day of August, 1889, a 2 o clock p. m. DANIEL STEELE, Mortgagee. Dated Bismarck, Dakota, July 2d, 1889.

WM. T. PERKINS, Attorney for Mortgagee. [First publication July 19, 1889.] Notice of Homestead Final Proof.

LAND OFFICE AT BISMAROK, D. T. {

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 of the Unite 1 States land office at Bismarck, D. T., on Argust 20 1880 viz. August 30, 1889, viz: SOLOMON BISHOP,

SOLOMON BISHOP,
for the northeest ¼ of section 20, in township 141
north of range 79 west.
He names the following witnesses to prove his
conntinous residence upon and cultivation of,
said land, viz:
Anders O, Beed, of Conger, !D. T., August C.
Fisher, Edward T. Goodkind, Frank Miller, of
Bismarck, D. t.
Any person who desires to protest against the
allowance of such proof, or who knows of any
substantial reason, under the law and the regulation of the interior department, why such
proof should not be allowed, will be given an
opportunity at the above mentioned time and
place to cross-examine the witnesses of said
olaimant, and to offer evidence in rebuttal of
that submitted by claimant.
OCCAR E. REA, Register.

First Publication June 28 1889.] Notice of Homestead Final Proof. LAND OFFICE AT BISMARCK, DAK., June 24, 1889.

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 of the United States land office at Bismarck, D. T., on Angust 24th, 1889 viz.

MARY E, BOBINSON, for the southeast 1/4 of section 6, township 136,

for the southeast ½ of section 6, township 136, range 78.

Ehe names the following witnesses to prove her continuous residence upon and cultivation of said land, viz:

John Beal, of Glencoe, Dakota, John Whittaker, of Glencoe, Dakota, Wm. McCrory, of Glencoe, Dakota, Dugald Campbell, of Glencoe, Dakota.

Any regreen who desires to protest sensing the Glencoe, Dakota, Dugain Campbell, of Glencoe, Dakota.

Any person who desires to protest against the allowance of such proof, or who knows of any substantial reason, under the law andthe regulations of the interior department, why such proof should not be allowed, will be given an opportunity at the above mentioned time and place to cross-examine the witnesses of said claimant, and to offer evidence in rebuttal of that submitted by claimant.

OSCAR E. REA, Register.

C. H. Bunsterd, Attorney for Claimant.

[For Publication August 2, 1889.] NOTICE OF HOMESTEAD FINAL PROOF.

LAND OFFICE AT BISMARCE, D. T., July 27, 1889. 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 Basmarck, Dak., on September 7, 1889, viz:

LEON BROWN st % of section 2, township 189

OSCAR K REA BOO

THE ADJOURNMENT.

The Constitutional Convention of North Dakota Pass a Pleasant Day and Adjourn.

A Feeling Farewell Address From President Fancher to the Corvention's Members.

Great Enthusiasm and a General Good Feeling Exhibited During the Closing Hours.

Forty-Third Day. [From Friday's Daily.]

Convention met at 10:20 a. m. prayer by the chaplain and reading and approving the journal of Tuesday, memorials from Hope township, Pembina, Richland and Walsh counties protesting against the Constitutional Convention locating the public institutions in general and the Capital in particular were read, with the threats of endeavor to defeat the ratification of said constitution by the people if adopted in its present form were read, and referred to the special committee appointed

yesterday.

Mr. Spalding moved an amendment to the resolution relating to the printing of debates, regarding the matter as it now debates, regarding the matter as to how stood as unsettled. His amendment proposed striking out the words "six hund-red" and inserting the words "eight hund-red," and that each member receive eight

red," and that each member receive eight copies in lieu of six.

Mr. Stevens understood that one thousand copies had been ordered printed.

Mr. Parsons, of Morton, seemed to be under the impression that no sufficient record of the proceedings of the whole had been provided for and that a stenographer to take down the proceedings had been to take down the proceedings had been employed at a great expense without any provisions for publishing the same.

On changing the number from six hundred to eight hundred the roll call was demanded, which resulted, yeas 21, nays 45.

Mr. Stevens moved a reconsideration of the vote for the purpose of saving the ques-tion for future consideration, he having

voted with the majority.

Mr. Purcell moved to reconsider and to lay that motion on the table which mo-

On motion the convention proceeded to the consideration of Article 5 of the proposed constitution it being under the sub-division head of "elective franchise."

Section 121 was adopted and 122 as amended by recommendation of the com-mittee. Sections 123 to 127 inclusive were

adopted without debate, non compus menstopped without debate, non-compus mentis to be put in italies in the latter section.

Section 128 which provides that "any woman having the quaifications enumerated in section 1 of this Article." etc., "may vote at any election held solely for school purposes" was amended on motion of the gentleman from Dickey so as to give the right to vote on any question pertaining to school matters and be eligible to hold any

office pertaining to the same.

The question as to how women could vote for a state superintendent of schools, and preserve the secrecy of the ballot was raised by Mr.Rolfe. Mr.Stevens said that the legislature could provide a way by giving the women a separate box for this purpose, and that it was not consistent to give the right to vote upon a limited portion of a subject only in which women were so deeply interested. The privilege should be

extended to all branches of the subject.

Mr. Moer suggested that in view of the fact that Mr. Stevens was already so popular with the ladies that his present speech was uncalled for.

After a somewhat prolonged debate Mr.

Bartlett, of Griggs, moved the previous question, which was seconded and the main question being put, the section as amended was adopted.

Mr. Parsons, of Morton, moved to amend section 129 by adding thereto what is known as the "Australian ballot bill."

Mr. Spalding moved to law the main question.

Mr. Wallow as a prefix to the section.

Mr. Wallow as the section.

Mr. Wallow and mr. Scott's amendment on the table, which motion, after explanation by Mr. Loott, by unanimous consent, prevailed.

Mr. Hegge from Trail offered an amendment to add "until otherwise provided by law to the section," subsequently by agreement to be annexed as a prefix to the section.

Mr. Wallow

Mr. Spalding moved to lay the motion on the table.

The previous question having been ordered the motion to lay on the table resulted, ayes 49, nayes 14, Mr. Williams offered a substitute relating to the secrecy of the ballot and registration of voters. Mr. Lauder moved to lay it on the table, it being legislation.

Mr. More supported Mr. Williams' substitue and pending discussion the conven-tion adjourned, a roll call having been

AFTERNOON.

The pending question being upon the laying of Mr. Williams substitute for section 129 on the table, a call of the house was ordered, and it appearing there were but three absentees further proceedings under the call were dispensed with. The vote to lay on the table was years

67, nays 16.
Mr. Williams then offered another amendment, to which Mr. Stevens offered a substitute, which was rejected.
Roll call on the Williams amendment

was called for.
Mr. Bartlett, of Grigs, offered a substitute which was also rejected and section 129 was finally adopted as reported by the comwittee and article 5 as a whole was ap-mroved and ordered into the hands of the engrossing clerk. Special orders for 2 o'clock being the con-

sideration of section 103, relating to the jurisdiction of district courts, on the motion of Mr. Carland to strike out "each Mr. Lauder proposed an amendment that

all proceedings in the first instance shall be instituted in the county where the defendant resides, and that any suit otherwise instituted should not be legally recog-

Mr. Rolfe said the amendment secures all that is desired to protect the defendant, and if a change of venue is desired the burden of the change should be thrown upon the plaintiff.

The question was further discussed by Messrs. Spalding, Lauder, Carland and Scott, and the motion to strike out was de-cided in the negative—yeas, 29; nays, 34. Mr. Williams moved to recommit to the judiciary committee which motion pre-vailed—yeas, 38; nays,16—and, the commit-tee was instructed to report a section to-

morrow without in tructions.

Section 116 being included in the special order was adopted withou alteration. Mr. Spalding moved that the vote by hich section 129, article 9 was adopted be reconsidered and a motion by Mr. Parsons.

of Morton, to lay that motion on the table Mr. Moer moved that all proposed amend-

ments to section 129 be laid on the table. Mt. Williams demanded a roll call. Result, yeas 59, nays 10.

Mr. Williams offered another amendment

was adopted with section 129 unchanged.
Article 7—Municipal corporations—was
next considered and section 130 adopted.
The balance of this article was stricken out

as recommended by the committee.

Article 7—Corporations other than Municipal—was taken up and sections 128 to 143 inclusive were approved as recom-mended by the committee without debate. Mr. Purcell offered an amendment to secan amendment to section 144 providing for appeal to the courts in the matter of railroad rates fixed by the Legislative Assembly, and also providing that during the pendency of any issue the curts should establish the rate.

A call of the house was ordered on moarms was directed to bring in absentees.

Resuming, consideration of Mr. Purcell's amendment was continued, Mr. Johnson and Mr. Stevens following Mr. Purcell in the debate.

Mr. Parson, opposed the amendment by Mr. Purcell, and offered a substitute providing for an appeal, but leaving the question of rates in the hands of the raiload commissioners pending a decision by

Mr. Lauder advocated Mr. Parson's sub-Mr. Lauder advocated Mr. Parson's substitute, and the debate was prolonged and some parts of it decidedly in earnest on the part'of Messrs. Purcell and Lauder.

Mr. Bartlett of Griggs, Messrs. Scott, Stevens and others also took a hand in the discussion. Mr. Parson's substitute was adopted by a vote of 59 to 18.

Mr. Stevens presented a resolution en-

Mr. Stevens presented a resolution endorsing the proposal to hold a world's fair at Chicago in preference to any other part of the globe which was unanimously adopted. Adjourned.

EVENING SESSION.

Section 145 of article seven was adopted and 146 striken out as recommended by the committee. The remaining sections were adopted with amendments and the article completed.

Article 8, education, being the next sub-division was disposed of by adopting all but section 153, which was striken out as recommended by the committee.

Article 9, school and public lands, was

Article 9, school and public lands, was, after considerable debate and several amendments, adopted.

Article 10, county and township boundaries, led directly into a storm center, but sections 170 to 178 were adopted with several amendments, and sections 174-177 were recommitted.

Convention adjourned to 10 o'clock tomorrow morning.

Forty-Fourth Day.

[From Saturday's Daily.] Convention met at 4 o'clock. Prayer by the chaplain and reading of the journal of Wednesday.

morrow morning.

The president announced as the com mittee to superintend the engrossing of the constitution, Messrs. Spalding, Johnson, Camp, Wallace.

Memorials were read both denouncing and approving the convention for locating the public institutions, one of the former commencing with the startling announcement that the constitution had already been burned in effigy by some patriotic citizens headed by the chairman of a democratic county committee. The preponderence of names seemed to be in favor of sustaining location in the constitution by the convention. The Young Men's republican club of Grand Forks promised defeat of the constitution unless the locating article was stricken. This was supposed to apply only to the capital and not to the university.

The committee on township and county organization to whom was recommitted sections 174—177. Article ten, reported substitute for section 174, which contained among other provisions, one for doing away with county commissioners, which

was adopted.

Mr. Bartlett of Griggs, presented a substitute for section 175, which was also adopted. Section 176 was stricken out and section 177 being amended by adding after the last word "suppression." "under this

the last word "succession," "under this Constitution," the entire article ten as amended was adopted.

Article eleven, on "Revenue and Taxation," was then taken up and sections 178 and 179 were adopted.

Mr. Scott offered an amendment to section 190 which relates to the teverore.

tion 180, which relates to the taxation of municipal corporations, the intent of which municipal corporations, the intent of which was to reserve to the legislative assembly the power to alter and regulate by the legislative enactment the taxing of railroads, involving of "gross earnings" feature contended for.

Mr. Colton moved to lay Mr. Scott's amendment on the table which motion

Mr. wanace opposed the amendment. He was not in favor of leaving it in the power of any future legislative assembly to change the system of taxation, and claimed there might be injustice done

Some time by doing so.

A motion to lay on the table did not

A motion to lay on the table did not prevail—yeas 33; nays 35.

Mr. Moer addressed the convention; referring to the status of the North Pacific railroad grant, and the danger there might be in discarding the grant and the danger there might be in discarding the gross earnings provi-sion to the treasury by cutting off an im-

portant source of revenue.

Mr. Colton was magnanimous and did
not want the railroad taxed if not liable in his way.

Mr. Bartlett of Griggs complimented the

Northern Pacific railroad as being the most magnanimious soulless corporation he had exer heard of for having paid a tax, if by law it was exempt.

Mr. Moer replied that it paid on its gross earnings and not on its road bed and roll-

ing stock.
Mr. Lauder inquired of Mr. Moer if it
was not a fact that a gross earnings law had been declared unconstitutional by the Supreme court of the United States.

Mr. Moer having spoken twice on the subject was estopped from making a re-

ply.

Mr. Carland was in favor of leaving to the legislative assembly the authority regulate taxation, but found some defect in the section amended as proposed, and at his suggestion Mr. Moer's amendment was prefixed to the section. On the adoption of

the amendment the yeas were 17 and the nays 51. Mr. Scott held that the lands of a railroad company should be taxed independent of its gross earnings.

Mr. Williams held that the whole mat-

ter of taxation should be left to the legisamendment that the legislature may pro-vide for taxing all property used for rail-

AFTERNON SESSION.

SECTION 180. Article 11 being under consideration Mr. Colton moved that the substitute and amendment be laid on the table.

Lost, 33 to 37. The question being on the adoption of the substitute by the gentleman from Cass, Mr. Bell made a speech opposing any amendment to the section as it had been re-

ported. Mr. Parsons, of Morton, was at his best

in a short speech in reply to Mr. Bell and favored the amendment. Mr. Holton had another say against the

Mr. Holton had another say against the gooss earnings heresay.

Mr. Bartlett, of Griggs, moved the previous question which being seconded the main question was put and the substitute was rejected by a vote of 35 to 36.

Mr. Spaulding's explanation of his vote, reading from notes. He voted "yes."

Mr. Moer offered an amendment, "but this section shall not be construed as preventing the enacting of a law by the Legistive Assembly providing for the taxation of property used exclusively for railroad purposes." Rejected by a vote of 30 to 40. On the adoption of sec. 180 the roll was called, yeas 40, nays 31.

Mr. Spaulding moved that section 181 be stricken out. Lost.

An amendment by the gentleman from

Pembina that plowing should not be considered an improvement for taxation was

Section 182 was adopted, also section 188 as amended by Mr. Miller and in concurrence with the recommendation of the com-

inittee.

The remaining sections were also adopted with amendments, and article 11, became a part of the constitution.

Article twelve—Public debt and public works, after a recess of ten minutes, was considered and sections 186 was adopted with an amendment.

with an amendment.
Section 188 was substituted for 187 and
189, under the head of Municipal Corporations, 189-192 adopted as recommended by
the committee, and the entire article com-

Article 13, relating to the militia without debate and with one slight amendment. Article 14, relating to impeachment and removal from office went through without

Future amendments under article 15 was also adopted without amendments. Mr Williams moved to substitute "two-thirds" for "majority" in line three, but his proposition was laid on the table.

Article 16, "Compact with the United States," being iron clad in its construction, had no use for amendments, and was adopted on sight.

In considering, article, 17, "miscellane.

In considering article 17, "miscellane-ous," Mr. Carland moved to amend section 46, relating to flowing streams, by adding

46, relating to flowing streams, by adding thereto "for mining, irrigating and manufacturing purposes." The word "natural" was also inserted before "waterways," and "ways" was changed to "courses."

Section 217, the oath section, was changed in the final to read "so help me God," in the case of an oath being administered, and the "pains and penalties of perjury" in case of affirmation. A substitute offered by Mr. Johnson was rejected.

Mr. Parsons of Morton offered and additional section prohibiting the exchange of "black lists" by employers, which was adopted by a vote of \$2 to 30.

Mr. Moer also offered an additional section prohibiting the receiving of railroad

Mr. Moer also offered an additional section prohibiting the receiving of railroad passes by members of the Legislative Assembly or any state officer which was adopted. Yeas, 42; nays, 20.

A motion to reconsider by Mr. Scott was on motion of Mr. Williams laid on the

Article XVII adopted and convention EVENING SESSION.

the town of Park River be added to the third legislative district. Carried. On motion of Mr. Merrinan the city of Grafton was included in the Fourth dis-

Mr. Allen moved as an amendment that

trict. On motion of Mr. Allen the village of "Minto" was added, and on motion of Mr. Bell the "village of Ardoek" was added to

the Fourth distrct. On motion of Mr. Miller fractional township 138-48 was added to the Ninth dis-

The legislative apportionment having been adopted, Mr. Miller moved that the convention proceed to consider the next article-that locating the public institututions.

Mr. Johnsonmoved that the report of the committee to which was referred the telegrams regarding the public institutions, be read before the article was considered.

Mr. Miller explained that he, as chairman, had his report ready, but he did not know that the other members were ready to report. Mr. Johnson then said that he had s

minority report which hs desired to sub-Mr. Spaulding rose to a point of order. Inder the rules special committee reports

could not be adopted at this time. The point of order was sustained. Mr. Bartlett, of Griggs, moved that Mr ohnson's minortty report be received.

Mr. Stevens said that he, as a member of the committee, would like to know what is going on before a report is submitted. He had not even heard of a meeting of the committee. He moved that Mr. Bartlett's motion be laid on the table. The roll call was demanded and the mo-

tion to receive the report was laid on the table by a vote of 45 to 28. Mr. Barlett moved that the minority re-

port of the committee on public institutions be substituted for the majority report. Mr. Williams moved to lay the motion on

the table, which motion prevailed by a vote of 44 to 28. Mr. Scott did not vote, explaining that he

was paired with Mr. Almen who was absent. It Mr. Almen were present he would vote nay and Mr. Scott would vote aye. Mr. Bartlett of Griggs, then renewed his motion of several days ago that the article locating public institutions be submitted as a separate proposition to a vote of the

people.

Mr. Miller moved that the motion be laid on the table, which motion prevailed by a vote of 41 to 31.

Mr.Williams moved the previous question,

being the motion of Mr. Miller to consider the article locating the public institutions, and the previous question was ordered by The clerk then read the article, which

was adopted. Mr. Purcell moved that that part locating a normal school at Valley City be stricken Mr. Williams raised the point of order that the section had not yet been read.

Sustained. Mr. Turner moved that all be stricken out save that part locating the capital at

Bismarck.
Mr. Williams moved to lay the motion Mr. Spalding moved the previous question on Mr. Miller's motion to adopt the section, and the previous question was ordered.

The section was then adopted by a vote The following being the vote: Those who voted in the affirmative were:

Mesers—
Lowell,
Mescham,
McHugh,
McKenzie,
Miller,
Moer. Mesers— Bartlett of Dickey, Blewett, Brown, Camp, Carland, Chaffee, Clapp, Clark, Elliott, Bolie, Shuman, Spalding, Hegge, Holmes,

Hoyt, Leach, Lohnes, Those who voted in the negative were:

Measrs—
Allin,
Appleton,
Bartlett of Grigge,
Bell,
Bennett, Messrs— Marrinan, Marrinan, Mathews, McBride, Noble, Nomiand, O'Brien, Fowers, Purcell, Polloca, Richards Colton, Douglas, Haugen, Johnson, Lander. Linwell,

Absent and not voting: Mr. Selby Mr. Peterson, Messrs. Almen and Scott being paired. Messrs. Bean, Camp, Johnson, Lauder

O'Brien, Pollock, Stevens, Turner and Wallace explaining their vote. Mr. Bean explained his vote, saying that when he came to the convention he was opposed to locating public institutions and his first two votes on the question demon-strated that fact. When the third vote came he saw the question was carried any-how and he voted in the affirmative so that he might have a chance to reconsider if he desired. After that one of the mem-bers of the convention saw fit to have an Indignation meeting at Lakota, where he (Mr. Bean) was especially condemned. Since coming back to Bismark he had seen Since coming back to Bismark he had seen more political trickery going on in the ranks of the minority than he had ever seen before. He had seen members of the minority striving to form themselves into rings and cliques to beat the majority. It seemed to him that the only question to consider was whether the capital should be located at the city of Bismarck or the city of Grand Forks. Taking this into consideration he decided to vote aye.

Mr. Bennett arose to to explain charging Mr. Bean with stating what was false regarding Grand Forks' aspirations for the

apital. Mr. Purcell wanted it distinctly understood that the caucus of the minority held that afternoon at which Mr. Bean was that afternoon at which Mr. Bean was present was called by Jamestown parties and friends of the Jamestown delegates. The minorty had been willing to submit to the will of the majority if they could not defeat it fairly and squarely. If the gentleman charged that the minority had been suite of anything wrong then had been guilty of anything wrong, then he (Mr. Purcell) didn't know anything about

Mr. Camp explained his vote. He spoke of the result of the indignation meeting at Jamestown and stated that the Stutsman county delegates were unnecessarily in-structed and urged to put forth every honorable effort to secure the capital of North Dakota at least temporarily at Jamestown. One of the delegates from Grand Forks was present at Jamestown and stated that he could secure a certain number of votes to locate the capital temporarily at Jamestown if we could secure a sufficient number to make with them a majority. We undertook the task, aided by majority. We undertook the USK, aided by a lobby from Jamestown but had not met with success. When at our caucus to-day it was found that he and his Stutsman county friends were in a hopeless minority, they left the caucus, the caucus adjourned sine die and it was understood that every some the mass. delegate was free to vote upon the measure as he saw fit. Therefore with the ure as he saw fit. Therefore with the consent and under the advice of the people of the city he represented he recorded his vote as before, aye.

Mr. Johnson disclaimed all responsibility

Mr. Johnson disclaimed all responsibility for the indignation meeting held at Lakota referred to by his colleague, Mr. Bean.
Mr. Lauder said that he voted with the combination, which saw fit in its generosity to locate a public institution at Wahpeton, no donbt with the expectation that the Richland county delegation would support the measure. His two colleagues from Richland county refused to support it, concurring with him that it was unwise and wrong in principle. As it was presented to him the alternative was to support the measure or the institution in contemmeasure or the institution in contemplation would be taken away. He had but a short time to consider the matter and voted for it, but since that time he had been home and talked with his constituents and he was now determined to notify his penula and at the same time action. his people and at the same time satisfy his own judgement by voting on this question as he believed he should from the stand-

as he believed he should from the stand-point of principle. He therefore voted no. Mr. Parsons of Morton said he voted aye because his judgment moved him in that direction, although he was sorry the west-ern portion of the state was deprived of an educational institution. He believed both combinations had acted honorable in the matter, and he knew of no jobbery or chi-canery on either side.

matter, and he knew of no jobbery or chi-canery on either side.

Mr. Pollock said he favored Bismarck for the capital—had all along, but he did not like the idea of locating all the other institutions. He would therefore have voted to give Jamestown the temporary capital, not with an idea of carrying the proposition but simply to break the com-bination.

Mr. Stevens said: I vote ave on this

bination.

Mr. Stevens said: I vote aye on this proposition so that the city of Bismarck may sit on her seven hills and be the most beautiful capital of the four new states.

Mr. Turner said he was for Bismarck for the capital but opposed to the locating the other institutions. He had voted in caucus for Jamestown simply to break the combination.

ination. ensued on the section in the schedule providing for the appointment of the cierk of the ensued on the section in the schedule providing for the appointment of the cierk of the court in the various districts for the ensuing year. The section was stricken out and the clerk will therefore be elected this

Mr.Stevens brought up the subject of railroad fees prohibition passed as a section of article 17 in the afternoon session. He said he believed the members were playing horse when they passed it and moved its

Mr. Bartlett, of Dickey, said that if members went there to play horse they should be allowed to do so and stand by their fun. He believed that the section was just

right.
Mr. Stevens, after the motion to reconsider had passed, moved the section be struck out.

Mr. Moer said he did not know why

Mr. Moer said he did not know why they, as members of the constitutional con-vention, should have been favored with passes, but he certainly thought that the temptation offered by a pass should be taken away from members of the legisla-Mr. Wallace said he had the honor of

being the only member of the convention who had been foolish enough to return his passes. On receiving certain passes he consulted some of his constituents and they thought it would be a bad move for him to take a pass. He considered after looking the ground over and seeing that ooking the ground over and seeing that every member had passes, that it was tomfoolery for him to send his back, therefor he would vote aye on proposition to strike out.

Mr. Parsons of Morton said he also returned his pass received from the North ern Pacific. It was a B pass, good only in Dakota, and as he had an A pass, good from St. Paul to Portland, he sent the B pass back. The section was struck out by a vote of 48 to 21.

Mr. Johnson introduced the following

Mr. Johnson introduced the following resolution and moved its adoption:

WHEREVS, The Hon. F.B. Fancher, president of this convention, has in his trying position as our presiding officer, a situation of great delicacy and responsibility, acquitted himself with uniformscourtesy, eminent fairness and infinite patience; and
WHEREAS, It is an honor d and beautiful custom on the final actionyment of deliberative estimates.

WHEREAS, It is an honor d and beautiful custom on the final adjournment of deliberative assemblies of this character to donate by resolution to honored and respected presiding officers, the chair they have occupied and the gavel they have wielded; therefore, be it
Hesolved, That as a token of our respect and confidence, we hereby order that the chair he has so honorably filled and the gavel he has so ably and impartially weilded, be and is hereby presented to Hon. F. B. Fancher, president of the constitutional convention of North Dakota, assembled at Bismarck, July 4, 1889.

Mr. Noble moved to include also the per-

Mr. Noble moved to include also the permanent officers of the convention.

Which amendment prevailed and the resolutions as amended were adopted.

Mr. Carland offered the following and moved its adoption as section twenty-three (28) of the schedule:

This constitution shall, after its enrollment, be signed by the president of this convention and the chief clark thereof and such delegates who desire to sign the same, whereupon it shall be deposited in the office of the socretary of the territory, where it may be signed at any time by any delegate who shall be prevented from signing the same for any reason at the time of the adjournment of this constitution.

While worther prevented and the pre-Which motion prevailed, and the pro-

posed section was adopted.

Mr. Purcel made another attempt to secure the separate subdivision of a minority representation clause but it was voted down. down.

The convention then adjourned to 2 o'clock p. m. Saturday.

Forty-F fth Day.

From Sunday's Daily. Convention called to order at 2:45 p. m. Prayer by the chaplain.

Reading of the journal ommitted. A memorial from the Grand Forks' reoublican league club was read by the clerk, protesting against locating the cap-

Mr. Williams offered an additional article providing for the publication of the constitution in connection with other doc-A resolution that the constitution be

printed in newspaper and \$20 be paid therefor was, on motion of Mr. Miller. amended to read ten dollars and adopted The committee on accounts and expenses made a supplemental report. Mr. Harris

stated that no action had been taken on the former report of the committee and on motion both were adopted. The select committee to whom was re. ferred communications and telegrams relating to the location of the capital made

what was represented to be a majority report. Mr. Moer moved that the reading of the report be dispensed with as the subject matter had been acted upon. Messrs.

Stevens, Harris and Williams concurred. Roll call was demanded and the motion to dispense with the reading was defeated, yeas, 24; nays, 42. The majority report was read and Mr.

Johnson moved its adpotion. Mr. Williams suggested that the minority report, as there was one, be read and the reading pro-

was one, be read and the reading proceeded.

Mr. Stevens moved that the motion of Mr. Johnson to adopt the report signed by Johnson and two others be laid on the table. The roll being called, the yeas were 38 and nays 31, so the motion prevailed.

Mr. Spalding said there was no majority report, it appearing that no committee had made any report and suggested returning the report to the delegate who had presented it.

Mr. Williams moved the adoption of the minority report on which the yeas and nays were demanded and the report was adopted by a vote of 41 to 28.

the table. He could not see why the convention should again fight over a question which has already been contested twice. If the convention began to work in this way it would never get through.

The roll call on the motion to lay on the table was interrupted when Mr. Bean's name was reached Mr. Bean voted aye, and Messrs. Coiton and Lauder raised the point that he was paired with Mr. Paulson. Mr. Bean stated that he did not know who paired him as this was the first he had heard of it. He had paired with no one.

The roll call proceeded on the motion to lay on the table, but before it was completed a call of the house was ordered.

PRESENTATION TO PRESIDENT FANCHER. During the call of the house Mr. Stevens called for the attention of the convention and stepping to the center aisle he spoke as follows:

as follows:

Mr. President: It is to me a pleasant duty that I am now to perform. In behalf of Messrs. Leach. Chaffee, Gray, Turner, Richardson, McKenzie, Wallace, Bartiett of Dickey and Wallace, whose gray hairs and years of experience have lent dignity to this convention; in behalf of brothers Carothers. Sandager, and Brown and Linwell and Glick, whose youth has lent fire to this convention; in behalf of Messrs. Miller, Williams, Lauder, Purcell, Moer, Bartlett of Griggs, Johnson, Rolfe, Flemington, McHugh. Fay, Carland, Camp, Spalding, O'Brien, Noble and Parsons of Morton, whose voice has been heard more Spalding, O'Brien, Noble and Parsons of Morton, whose voice has been heard more times than that of all other members; in behalf of Messrs. Griggs, Marrinan and Budge, who have sat silent, but who have hearn industrious markers, and in behalf been industrious members; and in beliant of each and every one, of not only mem-bers, but clerks and the faithful pages who bers, but clerks and the faithful pages who have responded to the call when asked to perform their duty; in behalf of the 81 who have participated in this convention, we present you with this token of our esteem and regard. [Here Mr. Stevens presented the president with a large magnificently framed photographic group of the convention, amid loud applause.]

THE PRESIDENT'S RESPONSE. President Francher responded as follows:
GENTLEMEN OF THE CONVENTION:—
Like the pligrim of the olden times, who having journeyed in many countries, gathering wisdom and knowledge by the way, ascends at last the summit of the east hill, and bending on his staff surveys afar the highest place of all—so have we, after a long, interesting and varied experience, reached the end of our labors and behold, gleaming into light, that Jerusalem of our souls—a completed constitution. Gentlemen of the convention, believing as I do, that this constitution, which you have formed is the peer of any constitution in the land; believing as I do, that the people of North Dakota will ratify it by a magnificent with the peer of the convention of the convention of the peer of any constitution in the land; believing as I do, that the people of North Dakota will ratify it by a magnificent with the peer of the convention of the convention of the land; believing as I do, that the people of North Dakota will ratify it by a magnificant with the peer of the land; believing as I do, that the people of North Dakota will ratify it by a magnificant with the peer of the land; believing as I do, that the people of North Dakota will ratify it by a magnificant with the peer of the land; believing as I do, that the people of North Dakota will ratify it by a magnificant with the peer of the land; believing the land President Francher responded as follows: and; believing as I do, that the people of North Dakota will ratify it by a magnificent vote. [Applause.] I congratulate you on the completion of your labors. For this elegant token of your esteem, and for the uniform kindness, courtesy and patience, which all of you and each of you have avented to me as your presiding. have extended to me as your presiding officer, there are no words in our language strong enough to express my thanks. The remembrance of your kindness, and the work of this convention must ever be to me a queen spot memory's waste. And when part to go out again to our various occupations, it is peculiarly gratifying to me to feel that should I ever meet you again there is not a man on the floor of the convention to whom I cannot stretch out the good right hand of fellowship and sit down and talk to as a brother. Gentlemen of the convention, I am not able to make a speech, and I will close with just one word to one and all—God speed yeu, and good bye.

[Applause.]
It appearing that only one member was absent, and he having returned. further proceedings under the call were dispensed

Mr. Moer moved that when the convention adjourned it adjourn to meet at 8 o'clock in the evening.
On this question the previous question
was moved and seconded.
Mr. Bartlett of Griggs moved to adjourn

The yeas and nays being demanded, the vote stood yeas 6, nays 62.

Mr. Rolfe moved to adjourn till 8 o'clock.

Lost.

The roll call on the motion to lay on the table Mr. Moer's motion to reconsider the vote by which section 180 was adopted was ordered by a ruling of the president and resulted yeas 31, uays 33.

The motion before the house being to reconsider the vote by which section 180 was adopted, the yeas and nays being demanded, resulted yeas 36, nays 29.

Mr. Holmes offered as an amendment an addition to section 180 that the legislative assembly be empowered to regulate taxation of railroads.

Mr. Lauder offered a substitute providing that a tax be placed on gross earnings in

that a tax be placed on gross earnings in lieu of all other taxes, on such property as is used by railroads in operating their

Recess of ten minutes.

After recess Mr. Lauder withdrew his

amendment or substitute and Mr. Camp, of Stutsman, by arrangement, presented a substitute embodying the principle of "gross earnings" for railroads.

Mr. Wallace, of Steele, took the floor in opposition, with a determination to keep it, and succeeded in doing so for the best part of an hour, amidst a shower of "points of order," "privileged questions," and some unprivileged ones, talking as the speaker admitted against time. He finally subsided under the pressure brought to bear without asying anything damaging to the other side of the question.

A resolution of condolence to Delegate John Almen, of Waish county, in his bereavement in the death of his daughter was presented by Mr. Stevens and unanimously adopted.

A motion to adjourn was negatived.

After further additions and amendments

After further additions and amendments to Mr. Camps substitute for amendments to section 180, a final vote was reached and section 180, a final vote was reached and the gross earnings feature of taxation for railroads was adopted. The ground was fought over inch by inch and every conceivable dilatory motion and amendments were indulged in. The substitute was adopted on roll call by yeas, 43; nays, 23. The adoption of the section as amended was by viva voce vote.

Mr. Turner offered an amendment that the legislative assembly be authorized to enact a law exempting all buildings or farm lands necessary in cultivating the land, be exempt from taxation. A delegate regarding the amennment as a joke, moved to tax the gross earnings of the former.

to tax the gross earnings of the former.

A vote on Mr. Turner's amendment being insisted upon the yeas and nays were demanded. Yeas, 22; nays, 36.

Adjourned until 8 o'clock in the evening. EVENING SESSION. The committee appointed to superintend

the engrossment of the constitution presented a partial report which was accepted by the convention and the corrections of the committee approved. A recess was taken after which the committee completed their report and the constitution as reported was adopted by

the convention.

A roll call being demanded the vote

Mr. Spaiding said there was no majority report, it appearing that no committee had made any report and suggested returning the report to the delegate who had presented it.

Mr. Williams moved the adoption of the minority report on which the yeas and nays were demanded and the report was adopted by a vote of 41 to 28.

Mr. Moer moved that the vote by which section 180 of Article XI (railroad taxation) was adopted be reconsidered. The article he desired reconsidered. The article he desired reconsidered provided that all property should be taxed alike and the motion was made in the interest of the proposition to have the subject of railroad taxation left with the legislature.

Mr. Colton moved to lay the motion on the table. He could not see why the convention should again fight over a question During an interim in the proceedings of the constitutional convention, Saturday evening, an elegantly framed plate of photographs of the members of the convention was presented to Chief Clerk Hamilton in appreciation of the faithful and efficient manner in which he had performed the duties of his office. Maj. Hamilton responded in a felicitious speech of thanks, and everybody cheered and said "served him right."

When Mr. Mathews, of Grand Forks, came forward and signed the constitution, he was cheered to the echo, having been a constant opposer throughout, but possessing the manliness to attach his name to a document endorsed by the majority.

Mr. Budge, of Grand Forks, was also one of those who did not permit "the sun to go down on his wrath."

Amid much enthusiasm and hilarity the convention adjourned sine die at 11 o'clock.

Slaughter Items. The rainstorm Friday night did no dam-

Mrs. F. Erickson entertained a party of friends on Sunday last. The little son of Mr. Ole Anderson is very ill with scarlet fever. The wheat harvest is about over and the oats will be tackled this week. All O. K.

Harvest did not keep any voters away from the election Saturday evening. The coal question continues to agitate our eastern friends. Wait and see what will become of it.

Mr. G. W. Newton, of Bismarck, addressed a public meeting of our citizens on Friday evening and favored the people with his ability. Our game laws need revising. The farmer who has a score or two of prairie chickens infesting every grain field, should have the privilege of killing a few of the fowls that ing the law, if he needs a little fresh meat in harvest.

The Territorial Assessment. The board of equalization has completed its labors. The levy made is three mills, and the grand total of assessed valuation is \$164,199,876.90, an increase of \$10,000,000

over last year. The classified assessment is as follows: North Dakota, South Dakota .\$ 40,061,175 65 \$ 51,475,558 50 9,354,429 50 19,175,949 50 2,574,641 00 3,664,472 00 319,611 00 4,734,618 50 484,117 60 1,024,415 00 1,113,078 75 1,380,539 00

Total \$ 66,857,436 30 \$ 97,342,440 60 The grand total is \$164,199,876.90, which will be the amount to be raised—by direct tax about a half a million dollars. This, of roads, express companies or other corpor-

ations. IN NUMBERS. The figures are as follows: North Dakota. South Dakota.

The number acres of land
 assessed
 10,674,347

 Number of horses
 105,268

 Mules and asses
 8,816

 Cattle
 175,500

 Shoop
 175,500
 12,610,049,90 7,489 448,234 134,823

A Card From Ex-Governor Ordway. To the members of the Constitutional

GENTLEMEN:-I am advised on my return to the capital on yesterday, the 15th inst., that copies of the Grand Forks Herald, (whose proprietor claims to have a personal grievance) were laid upon your desks, in which was printed an anonymous. brutal and cowardly attack upon myself and others, in the shape of a letter, purporting to have been written at Bismarck.

The animus of the thug who dictated this compound of falsehoods, is plain, and so far as they relate to any conferences, between members of the convention and myself, every member, individually, can ex-onerate me from attempting in the slighest degree, to unduly influence their action upon any question relating to preparation for county statehood. or county statehood.

for county statehood.

Inasmuch, however, as Mr. George B.
Winship proprietor of the Grand Forks
Herald, about the only newspaper in North
Dakota that rehashes South Dakota's slush
with the object of defaming myself and
others thereby horing to misled with the object of defaming myself and others, thereby hoping to mislead, continues to run his mud-mill. I make this open challenge, that I will meet him in a public discussion here at the capital, at Grand Forks in any other county in North Dakota he may select, and will pledge myself to prove beyond question, that every allegation, charge, or assult which he has made himself, or through his anonymous henchmen are false, malicious and wicked.

N. G. ORDWAY.