

SIoux FALLS CONVENTION.

FRIDAY'S SESSION.

There was but one hour of the session to-day, an early adjournment being taken to give the committees time to work, and they have been in session all of this afternoon and this evening. It is hardly possible that some reports will be made when the convention meets to-morrow morning, although the important committees are not expected to report until about Tuesday, as it is understood that the bulk of the discussion must be had in committee. But eighty-five delegates answered to the roll call. Several have gone home on leave of absence. Delegates A. J. Knight, L. C. Johnson and D. Van Velzer were sworn, making the total number who have reported so far 117 out of 150. Matilda Joslyn Gage, vice president of the National Woman's Suffrage association, succeeded in getting before the convention a memorial dated at Aberdeen Sept. 3, in which she protested against taxation without representation, and asked for the right of suffrage for the women of Dakota. A similar request came from the National Women's convocation. A petition for prohibition came from Brookings county. These memorials and petitions go to the committee on elections and rights of suffrage, where they will rest. A resolution prevailed for the appointment of a committee of thirteen members, with the president of the convention as its chairman, to draft an ordinance for taking the census of Dakota, south of the 46th parallel. In presenting the resolution, Mr. Campbell of Yankton said the census should be begun as soon as the convention adjourned and completed within thirty days. It should go to congress with the constitution to be adopted, to be used as proof of South Dakota's right to statehood. It is the intention of the committee to report a plan for taking a very correct census in a very short time, a census, too, with the proof on its face of having been taken honestly. A resolution was referred to the committee on legislative department, requesting that committee to consider the question of

MINORITY REPRESENTATION IN THE LEGISLATURE with a view to incorporating a provision for such representation in the constitution. Another resolution, which went to the judiciary, asked that the constitution be framed to provide for the establishment of county courts in the several counties of the proposed new State, and that the courts in addition to the probate jurisdiction now conferred upon them by territorial laws, should be vested with jurisdiction in all cases of misdemeanors, and with jurisdiction in all civil suits where the debt or damage claimed shall not exceed \$500. With the exception of these two resolutions, there has been no attempt from the body of the convention to instruct the committees in their work. A special committee, consisting of A. Boynton, Orange Still and J. C. Elliott, was appointed on contested elections. By a report made to the convention by the State executive committee appointed by the Huron convention, it was shown that there had been collected to defray the expense of holding the election for delegates to the constitutional convention \$500; that \$413 were expended, leaving a balance of \$177, which was turned over to this convention. The committee stated that the apportionment of \$7.50 to each county would have yielded \$1,125, had there been a complete response, but such not being the case, disproportionate drafts were made on the older counties. The committee on name, boundaries and seat of government of State, have agreed to report favorable to Yankton as the capital. It is said the committee stand eight for Yankton to one against it, although the report will be unanimous. The committee will also report that the State shall include all that portion of the Territory lying south of the 46th parallel.

SIoux FALLS, Dak., Special Telegram, Sept. 8.—Some actual work was accomplished by the constitutional convention to-day, although it was in session less than three hours. These men mean business. The committee on military and naval affairs, on elections and rights of suffrage submitted complete and final report. The former contained nothing usually not found in State constitutions, while the latter pretty effectually and satisfactorily does away with the problem of women's suffrage. The eighth section says that any woman being a citizen of the United States, twenty-one years of age, and having the qualifications of an elector as residence, may vote at any election held for the purpose of choosing any officers of schools, and shall be eligible to any office retaining the management of schools. It is believed the report will be adopted without amendments. A resolution directing the committee on schedule to provide that the State officers shall take their oaths on the 1st of January, was referred to a committee. The intention of the resolution was the election of officers for the future State this fall. Another resolution was adopted, which created a committee of nine delegates to prepare an address to the people of the proposed State urging their united support of the constitution adopted by the convention. F. P. Baum of Aurora, in presenting the resolution, stated that it was desired that there be not the slightest discussion among the people next winter when congress is asked to admit to statehood South Dakota, and that unanimity should be secured.

SPECIAL COMMITTEES were announced by the president as follows: Administrative—Day of Edmunds, Campbell of Minnehaha, Beutelsen of Yankton, Hayes of Hamilton. Impachment and Removal from Office—Taylor of Lincoln, Johnson of Brown, Hunt of Spink, Lovring of Minnehaha, Farmer of Miner, Daly of Lake, Sherwood of Clark, Reed of Butte, Callahan of Douglas. Transportation—Schwindt of Brune, Clifford of Lincoln, Moulton of Day. Preamble to Constitution—Johnson of Hyde, Burdette of McDowell, McDonald, Van Nelson of Hughes, Wentworth of Lake. Census—The President, Knox of Faulk, Ruggles of Day, Getchell of Deuel, Harris of Yankton, Gunderson of Union, Herman of Buffalo, Schwandt of Brule, Schlinger of Hutchinson, Cleveland of Brookings, Scheller of Beadle, Bronson of Miner, Edwards of Lawrence. Contrary to anticipations, the committee on boundary and seal of government did not render their report. It will be made on Monday, no doubt. Members of the committee say there will be no feeling whatever engendered in locating the capital of the State at Yankton, and that, although another line than the forty-sixth parallel has been suggested for division to avoid division of counties through which the forty-sixth parallel runs, no dispute will be raised, and that harmony will be perpetuated in the disposition of both questions. Although the committee on elections and rights of suffrage did not recognize the wishes of the prohibitionists in their report to-day, the subject is not disposed of by any means. Prohibition is to come up in another form. An effort will be made to have it incorporated in the code as a codicil to the constitution. Those who oppose it say it will be as objectionable in the codicil as if inserted in the body of the constitution, and it is unlikely that the effort will be attended with success. There is a strong desire among the delegates who are farmers to deal with corporations of the character of railroads, telegraph, etc. They say these corporations should pay the same rate of tax as private individuals, should not be allowed to consolidate, and should receive no aid that is not given private parties.

SIoux FALLS, Special Telegram, Sept. 10.—Two articles in the constitution of the State of Dakota were adopted to-day. There is a basis

now upon which to work. The articles adopted refer to elections, right of suffrage and military affairs. There was a great deal of spirited discussion over the report of the committee on elections and right of suffrage, several amendments made and two sections stricken out before it was adopted. Dakota has a greater number of, and is receiving more, foreign-born citizens than any other locality, and great care was taken to deal fairly with them. The first section, as reported from the committee, required three years residence in the Territory to make one eligible to hold office or exercise the right of suffrage. It was amended and as adopted the section reads:

Every male person of the age of twenty-one years and upward, belonging to either of the following classes who shall have resided in the United States one year, in this State six months, in the county thirty days, and in the election precinct ten days next preceding any election, and all persons who shall be qualified electors under the laws of this Territory at the date of the ratification of this constitution at the polls, shall be entitled to vote at such elections for all offices that now are, or hereafter may be elective by the people: first, citizens of the United States; second, persons of foreign birth who shall have declared their intention to become citizens conformably to the laws of the United States upon the subject of naturalization.

The sections forbidding the election or appointment of any one to office, civil or military, who has not resided in the State six months, and giving women the right of suffrage at all elections held to choose officers of schools or upon any measure relating to schools, and making women eligible to hold any office pertaining to the management of schools, were stricken out. A motion to strike the word "male" in the first section received three affirmative votes, showing conclusively the strength of woman suffragists in the convention.

The article on military affairs was adopted without material amendment. An effort was made to take up for adoption the report on education, but it was ordered printed first. There is little new matter in the report. The feature covering the disposition of school lands is interesting if not new, because it affects large bodies of land in the proposed State. No school land can be sold for less than \$10 an acre and that sold within ten years shall not exceed one-third of all land set apart for the use of schools, and no school officers shall be allowed to be interested in the sale, rental or other disposition of public school lands.

PREAMBLE TO THE CONSTITUTION. The following is the preamble to the constitution as reported from the committee: We, the people of the Territory of Dakota, having the right of admission into the Union as one of the United States of America by virtue of the ordinance of 1787 and the treaty made by France to the United States of the Province of Louisiana, and by virtue of the guarantee of the constitution of the United States, "all necessary conditions of the said compact and treaties of session having been fulfilled, and the people of the Territory of Dakota, and no of right being entitled to a change from our Territorial condition to the enjoyment of all the rights of State government as a free and independent State of the Union, do, in convention assembled, in order to establish just and equal laws, and secure the blessings of liberty to ourselves and to our posterity, ordain and establish the following constitution, and form ourselves into a free and independent State, by the name of the State of Dakota.

There was considerable enthusiasm among the delegates when the preamble was read. It looked and read like the beginning of the end, and it was moved to suspend the rules and put it upon its passage, but the president ruled the motion out of order, and it must first be printed. Delegate Westover, of Sully and Potter counties, arraigned Gov. Ordway by introducing a series of preambles concluding with a resolution, the whole setting forth that: There are a number of unorganized counties lying within the boundaries of the proposed State of Dakota, containing more than the requirement number of resident voters to entitle them to county organization under the territorial laws, and some of them a greater population than any county which have been organized by the favor of the territorial executive that the qualified voters of such unorganized counties have petitioned in vain for such an organization, and are, by reason of such want of organization, practically disfranchised, and the inhabitants are unjustly deprived of the many advantages derived from such organization and to recognition as such in the proposed State of Dakota at the first election of State officers; and that the inhabitants of the Territory lying north of the forty-sixth parallel, and the county of McPherson with the territory lying between the 46th and the 47th parallel, and the county of Deuel, and the forty-sixth parallel, it is asked that they be authorized to participate in the election of State officers, and to proceed to the election of county officers in every respect as such elections may be held in other counties in the State, and that such counties may be considered organized as fully and completely as though by favor of the Territorial executive.

Another resolution was referred to the committee on corporations other than banking and municipal, requesting that committee to take into consideration the expediency of providing that the legislature shall pass laws establishing reasonable maximum rates of charges for the transportation of passengers and freight on the railways and for the election of three railway commissioners to see that the railroad laws were complied with. At several stages of the session of two and a half hours the subject of prohibition came up in different forms. There seems to be a determination, much against the wishes of a majority of the convention, to bring the subject of prohibition before the voters at the same time the constitution is taken to the polls for ratification. The longer and cooler heads seem to think it not wise, if the question must be urged the people at the same time as the constitution, to have it connected by codicil or any other form with the constitution. The subject of taxation of railroad property upon the gross earnings or cost value is becoming more and more complicated. It is likely to end as the more zealous friends of statehood favor in leaving it to future legislative laws where it rightfully belongs. Hon. R. F. Pettigrew, of the committee on legislation, says the committee will report a section making it a crime, with impeachment as punishment, for any State senator or representative to trade votes on measures or a governor to use his veto or other influence or any State officer to wield official power in favor of or against any pending measure in the legislature.

SIoux FALLS, Sept. 11.—It is estimated that the work of the constitutional convention could well be pronounced finished by Saturday next if such labor as was performed to-day were kept up. About half of the committees have reported, and those that have not submitted reports have them nearly ready to place before the convention. To-morrow the scope of work will be in the hands of the committee of the whole. The strictest rules of economy are observed in the matter presented. While considerable specific legislation is referred to the legislature very much of it goes there "Cooped" that is referred, with instructions to the legislature as to how far it may go. There is a general desire to so frame the constitution that the State cannot become involved in debt. The report of the committee on county, State and municipal indebtedness contained a section which provides that: The State shall not loan its credit or make donations, except in case of public calamity, in aid of any individual association or corporation, nor sub-

scribe to or become the owner of the capital stock of any association or corporation, nor engage in any work of internal improvement. Another section provides for defraying extraordinary expenses, such as public improvements, etc., that stimulates the aggregate amount shall not exceed \$500,000.

These are but simple instances of the safeguards usually that are thrown around the powers granted legislatures by constitutions. The framers of this constitution are bent on making a basis of State government for future generations, as well as one on which they may be admitted to Statehood. Two other sections bear upon the powers of counties, cities and towns to:

INCUR INDEBTEDNESS. They cannot incur an excess of 5 per cent of assessed valuation and interest must not accumulate. A section on public accounts and expenditures provides that the legislature cannot grant extra compensation to any public officer, nor authorize the payment of any extra claim after contract has been made. A wide scope of freedom is presented in the lengthy bill of rights. Among the clauses embraced in it are:

Liberty of the press, free religion, trial by jury, etc. Persons before conviction are made bailable, except in cases of capital offenses, and no writ of habeas corpus to be suspended; the grand jury to consist of twelve persons, any nine of whom may find an indictment; but the legislature may abolish the grand jury system. No "ex-post-facto" laws can be passed by the legislature. No distinction shall be made between resident aliens and citizens in reference to the enjoyment or descent of their property. No person can be imprisoned for debt. The military shall be in strict subordination to the civil power. Writ of error are never to be prohibited. No tax is to be imposed without the consent of the people.

Yesterday, in adopting the report from the committee on elections and right of suffrage, the section giving women the ballot at school elections was stricken out. It came back to-day from the committee, couched in different language, but implying the same privileges. Two reports were submitted from the committee on rights of married women, and it is not improbable that considerable debate will be had upon the question.

The majority say, the real and personal estate of every female acquired before marriage and all property of which she may afterwards become entitled by gift, grant, inheritance or devise, shall be and remain the estate and property of such female, and she:

NOT BE LIABLE FOR THE DEBTS, obligations or payments of her husband, and may be devised or inherited by her as if she was unmarried; but she shall have an absolute right in one-half of all the real estate of her husband owned by him at the time of his death, as her dower; while the minority, believing in giving the husband a fair chance, hold that all real and personal property of all kinds of every married man or woman shall be and remain his or hers; and the property of the husband or wife shall not be subject to the control nor be liable for the debts or obligations of the other, but shall be divided equally by will by either the same as if unmarried; but the homestead of any family not exceeding 100 acres, not included in any city or village, nor exceeding \$2,000 in value within a city or village, owned by the husband or wife shall be held by and controlled by the husband, and in case of the death of the one the other shall become the sole owner of the homestead.

A resolution from Judge Moody was received and referred, which instructed the executive committee to take into consideration and report a proposition for incorporation into the constitution, providing for limiting the pardoning power of the governor by creating a board of pardon upon whose recommendation and investigation, shall a pardon be granted.

Quite a number of petitions were received from different localities, asking that prohibition be submitted to a vote of the people when the constitution is presented for ratification. There are few who believe the issue can be escaped, and that it had better be voted upon as an entirely separate measure from the constitution. A committee has been appointed to draw a scheme for presenting the question to a popular vote. Many who oppose prohibition favor submitting the question with the constitution on the ground that it will bring out a full vote. An effort will be made to have incorporated in the constitution a provision for the election of all judges at some other time than that prescribed for the election of the governor and members of the legislature. The preamble presented yesterday does not give satisfaction because it contains too much ancient history. The judiciary have been asked to draft another one. During the consideration of the report of the committee on education and school lands, an effort was made to incorporate A. C. Mellette's resolution to require the legislature to pass laws regulating school text books, to be changed not oftener than five years, and being defeated by a close vote will likely come up again. A strong effort was also made to amend the minimum price fixed upon school lands, making it \$15 or \$17 an acre, but it passed as reported at \$10 an acre. Compulsory education was incorporated. While the report of the legislative committee was under consideration, H. J. Campbell of Yankton in strong language arraigned the acts of the last legislature, which he termed damnable, and a blot upon the name of Dakota. He maintained that the log rolling by the governor was an outrage, and that the executive power, and he hoped the constitution would:

PROVIDE AGAINST SUCH ABUSES in the future. His remarks were in support of the thirty-third section of the legislative committee's report which read:

Any governor on this State who asks, receives or agrees to receive any bribe upon any understanding that he will withhold or act by shall be influenced thereby, or who gives or offers or promises his official influence in consideration that any member of the legislature shall give his official vote or influence on any question or matter upon which he may be required to act in his official capacity, or who menaces 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 or withhold his vote on any matter pending, or thereafter to be introduced into either house of the said legislature, or who threatens any member that he, the said governor, will remove any person from any office or position with intent in any manner influence the official action of the said member, shall be punished in the manner now or that hereafter may be provided by law; and on conviction thereof shall forfeit all or hold or exercise any office of trust or honor in this State.

The affairs before the committee on corporations other than banking and municipal have become so complicated and numerous, and so many have been being presented that it was asked that the committee be increased six members more, all of them from the formed committees. The committee stated that they were equal to the emergency and the request was refused. An indignation meeting of the delegates and citizens is announced to take place at the close of the work of the convention, the purpose of passing resolutions condemnatory of the present executive, and joining in a protest to the president of the United States against his reappointment. To-night, at the parlors of the Cataract house, the ladies of Sioux Falls tendered a reception to the delegates and their wives. The parlors were decorated with flowers, and there was music and a gay time.

SIoux FALLS, Special Telegram, Sept. 12.—A scheme for taking the census of the proposed State of Dakota was to-day submitted to the convention from the special committee on the subject. It seems to give universal satisfaction. It recommended the appointment by the convention of one chief enumerator, who shall appoint one county enumerator for each county in the State to have the general supervision of taking the census. The county enumerator shall appoint one enumerator for each township district, ward or precinct in his county, and shall call out a sufficient number to secure the speedy enumeration of all the inhabitants in his coun-

ty. The returns of the enumerators are to be made in writing, giving name, age and sex to the county enumerator, who shall collate all returns and turn them over to the chief enumerator, who shall collate all returns from counties and place them in possession of the chairman of the census committee. The committee are to complete their work and make returns before Nov. 1, and the chief enumerator must make a report to the chairman of the committee before Dec. 1. The pay of the enumerators is 3 cents for each inhabitant enumerated by them, and the county enumerator is to receive 1 cent for five persons enumerated in his county, and the chief enumerator 1 cent for every ten persons. The chairman of the committee is instructed to issue a certificate of the amount due each person employed in the work when finished, and the first legislature after the adoption of the constitution will make provision for their payment. During the consideration of the report of the committee on:

COUNTY AND TOWNSHIP ORGANIZATION. A vast deal of discussion was directed to the subject of reducing the area of counties found to be too large, and how it could be effected. The section as adopted, leaves the matter to the legislature regarding debts of counties divided or consolidated, but a decrease of the area of a county may be effected by a majority vote of electors of the county effected and a petition to the legislature. Minority representation in the legislature occupied a great deal of time in debate. The subject had been referred to the legislative committee, and was reported back without recommendation. Delegates from the sparsely settled counties supported minority representation, on the ground that it was their only salvation to get representation at all. It was finally decided that it was an experimental matter; that it had not been proven a success in States where it had been tried, inasmuch as the precedent had been established in the out-set to incorporate no "new wrinkles," as one delegate put it, it was defeated, and Dakota is to have no minority representation in the legislature. A. C. Mellette, from the committee on corporations other than banking and municipal, submitted the unanimous report of the committee. This report has been anticipated, but not on account of interest, on account of the effect it must have upon the property of all corporations, except religious and educational, is placed upon the same footing so far as taxation is concerned, as all other property. The State cannot become a stockholder in any corporation or assume the liabilities of any corporation, nor grant subsidies. The coat of arms and seal of Dakota were designed—a shield wrapped with the American flag, depending from the back of an eagle. In the background of the shield a range of hills and the chimney of a smelting furnace; in the center of the shield a river, bearing a steamboat, on either bank of the river a train of cars; in the middle foreground a field of wheat and a field of corn; in the immediate right foreground a white man at his plow, in the left foreground an Indian and tepee. Both the white man and Indian are looking at a rift in the clouds, where appears the legend, "Fear God and take your own part," this legend to be the motto of the State of Dakota. In adopting the report, the boundary line of the State, the forty-sixth parallel, was not disputed, but the north line of the State of Nebraska was substituted for the Missouri river on the south, on account of the shifting river bed. Nebraska was accused of already attempting to purloin an island or two which have turned up from the ever-changing channel of the Missouri out of the territory south. Again the section stricken out of the report on elections and rights of suffrage giving a woman the ballot at elections and making them eligible to hold offices pertaining to school management came up and was passed. A motion to make women eligible to hold any office, but vote only at school elections, received 16 out of about 150 votes. While the subject was under discussion, Judge Moody of the Black Hills delivered an ardent speech:

IN FAVOR OF WOMAN SUFFRAGE. He closed by saying: Who can say that my wife and daughter are not as competent to vote as I am to hold office? True, they may not be as anxious as I am (prolonged laughter, and cries of "You're right, judge, and especially as to the latter, 'That's all they want, office,' etc.). Both majority and minority reports on woman's rights were indefinitely postponed, as the subject involves a matter for the legislature to determine.

SIoux FALLS, Special Telegram, Sept. 13.—Recognizing the fact that there is a vast amount of work yet to do, the first step of the constitutional action, to-morrow was to adopt a new time schedule. Hereafter the convention will convene at 9 a. m. and 2 and 7:30 p. m. President Tripp, Hon. A. C. Mellette, Hon. R. F. Pettigrew, Hon. B. C. Caulfield and other prominent delegates say the convention should complete the work before it by Saturday evening. To the contrary, however, the delegates evinced a longing to be rather tedious to-day. The debate was heavy, for instance, where the report of the committee on State, county and municipal indebtedness was called up for adoption. The convention tackled on a clause which prohibits any city, town or county municipality voting and aiding in any way from the general fund to any individual, association or corporation. Exceptions were taken to the provision because it precludes the old way of securing new railroads by voting a tax upon the inhabitants of a city, county or township. It was held by some that it was absolutely necessary to grant this right, else many localities will be kept from development. A. B. Melville of Beadle county, W. A. Brookings of Minnehaha and others declared that unless county, city and other municipalities were given control of the matter of voting aid to railroads, or whatever corporation, the constitution would not be ratified. G. C. Moody of the Black Hills and H. F. Pettigrew of Sioux Falls fought for the adoption of the section as reported. They pointed to the thousands of miles of railroads already in Dakota, and declared that had there been a law permitting it every mile of those roads would have been built by the aid of means voted from the people. As it was, they cost them nothing. Several of the delegates said a railroad that had not been built upon its merits, and without aid from the counties through which it passed, was not worth having. As the section was adopted, railroads will get no aid from any county or municipal government in the State of Dakota unless the constitution is amended after it was adopted. Early in the session:

THE REPORT FROM THE JUDICIARY was received. It is very important in many respects. The terms of judges of the supreme court are fixed at four years after the first term, which shall be five years, and the districts are arranged as follows:

First—All that portion of the State lying west of the Missouri river.

Second—That portion east of the Missouri and west of the Dakota line.

Third—All that portion of the State east of the Dakota river.

The circuits are arranged as follows: First Circuit: The counties of Union, Clay, Lin-

coln, Turner, Hanson, Lake, Minnehaha, McCook, and Miner.

Second—Yankton, Bon Homme, Charles Mix, Douglas, Hutchinson, Davison, Aurora, Brule, Buffalo and Jerauld.

Third—Brookings, Moody, Kingsbury, Clark, Hamlin, Deuel, Grant, Codington, Day, Roberts, and Walworth and Sisseton reservations, and all that strip of territory now included between the north line of the county of Day and the forty-sixth parallel of north latitude.

Fourth—Beadle, Hand, Hyde, Hughes, Spink, Brown, Sully, Sanborn, Potter, Edmunds, Faulk, Walworth, Campbell, McPherson, and including all that portion of the State lying north of those counties and south of the forty-sixth parallel of north latitude, and including all such portion of the State lying between these counties and not forming a part of either.

Fifth—All that portion of the State lying west of the Missouri river, provided that all parts of the State not included in the foregoing boundary and description of circuits shall be attached and form a part of the Second circuit.

The report further provides that:— There shall be elected in each organized county a county judge to be judge of the county court, with a term of two years, his compensation to be fixed by law. The judges must be twenty-five years old. The report was very lengthy, and it was found necessary to appoint an enrolling and engrossing committee. George H. Hand, O. B. Melville and C. W. McDonald were appointed.

FEMALE SUFFRAGE ONCE MORE. A bundle of petitions, memorials, etc., from woman suffragists were reported back from committee on schedule, without recommendation. The committee observed, however, that it had been deemed inadvisable at present to enter into such theories or run off after strange gods, as there was enough to make a good solid constitution and successfully present it to congress for statehood. There was but one delegate who protested against summary dismissal of the subject. He was H. M. Williamson, of Moody county. He made a minority report, protesting stoutly against the whole proceeding of the committee. The finance committee announced that the expense of holding this convention had been approximated at \$400,000 and asked for instructions as to how the amount should be collected. It was proposed that it be raised by assessing the counties represented, in proportion to the number of delegates, and that the delegates be held responsible for the collection of the assessment. The result of such procedure at the Huron convention was recalled. There the grant of the budget was upon a few counties. A suggestion prevailed that the money be raised on the spot by subscription, and an instance of the way they do business in Dakota was given when the delegates drew their wallets and laid down the necessary ducaats. These men say there is no dead beat business about this; that they are sufficient in earnest about statehood to come here, give it their time and foot the bill without calling upon their constituency. During the consideration of the bill of rights, which abolishes the grand jury system, several lawyers in the convention uncoiled their vials of wrath upon the jury system in general. Judge Moody said: The whole jury system is a relic of barbarism, the source of any amount of corruption and injustice, and should be abolished. It is the shield behind which all rascals hide. A man who honestly believes he has a good case is always ready to waive a jury. The expense of maintaining a grand jury has long been money thrown away on a farce. J. R. Gamble of Yankton also favored trial by judge only. Ex-Secretary Hand said: I have seen both of the gentlemen (Moody and Gamble) in cases before a jury acting as judges where they themselves been on trial, and a jury sitting in judgment, they would both have gone to the penitentiary. There was hearty laughter. The report, as adopted, not only does away with the grand jury, but gives a defendant privilege of waiving trial by jury in criminal cases.

North Dakota Convention. The convention called by citizens of the territory north of the 46th parallel to take action in regard to the right of the southern portion to appropriate the name of Dakota, met at Fargo on the 12th inst. The convention was called to order by Col. Plummer, who was selected temporary chairman, and Mr. Gorrid was elected temporary secretary. The chairman, on motion, appointed Messrs. Hamilton, Falk, Gorrid, McConnell and Talbert a committee on credentials.

Messrs. Miller, Walker and Walsh were appointed a committee on permanent organization. After the committee on credentials had reported, and some vacancies were filled the committee on permanent organization reported in favor of W. H. Francis for permanent chairman and I. S. Hamilton for permanent secretary, and a vice president from each county having five delegates or more. The following resolutions were then read, and after a lengthy discussion were adopted by a vote of 71-12 for and 23-12 against.

Whereas, the convention now in session at Sioux Falls, Dak., and representing that portion of this great territory lying south of the forty-sixth parallel, has assumed to act for the people of the territory in the preamble of its constitution, as published in the associated press dispatches to-day; and whereas, the convention at Sioux Falls in its action has ignored the rights of 300,000 North Dakotans, who represent more than one-half the aggregate wealth of the entire Territory. Therefore be it:

Resolved, by this convention, That we earnestly protest against this attempt on the part of South Dakota, as represented in the Sioux Falls convention, to appropriate the name of Dakota, our common heritage. The productions of that portion of Dakota lying north of the forty-sixth parallel have made the name Dakota famous, and give it a commercial value and prestige or which should not and cannot be deprived. That we further protest against the admission of Southern Dakota, under a constitution making no provision for the assumption of an equitable proportion of the present territorial debt by the people of South Dakota, and we strongly protest against the admission of the territory as a whole under a constitution adopted at Sioux Falls or elsewhere, in which the entire people of the territory are not represented. If the territory must be admitted as a whole, we demand a voice in the preparation of the law, and will oppose any movement looking toward statehood which deprives us of the privilege of assenting or dissenting to constitutional provisions.

Mr. Steele offered the following resolutions which were adopted:

Resolved, That the chairman of this convention appoint a committee of five, of which the chairman of this convention shall be one, which committee shall have power to act on behalf of this convention and its constituency.

Resolved, That when this convention shall adjourn it shall be to reassemble at the call of the said executive committee, and the said executive committee shall have power to confer with representatives of the Sioux Falls convention, or others in South Dakota, looking toward a representation of the people of South Dakota to unite with the delegates of this convention at such assembly under this resolution.