

GRIGGS CO. COURIER.

PUBLISHED EVERY FRIDAY MORNING.

By F. E. D'K. H. ADAMS.

PRESENTED BY GOV. PIERCE.

The First Message of the Governor of Dakota to the Members of the Territorial Legislature.

A Lengthy Document in Which is Discussed Many Subjects of Great Importance.

The Status of Prisons and Asylums—The Public Lands and the Insurance Laws.

The Need of a Grain and Railway Commission and an Agricultural and Immigration Agent.

County Organization and Attendant Divisions—Concerning Admission and Division.

Message of the Governor.

Gentlemen of the Council and House of Representatives: In accordance with a recognized custom I transmit herewith the reports of divers territorial officers accompanying their statements, with such suggestions and recommendations as seem to me pertinent and timely. The treasurer's report shows the finances of the territory to be in a very satisfactory condition. The receipts and expenditures for 1883 and 1884 were as follows:

RECEIPTS, 1883.	
Balance in treasury, Dec. 1, 1882.	\$43,463 80
From counties.	161,341 20
Railroad tax for 1882.	77,493 37
Tax on telegraph companies.	616 05
Sale of laws.	396 00
From sale of bonds authorized for the building of various public institutions.	214,417 71
Total.	\$497,839 47
DISBURSEMENTS, 1883.	
From general fund.	\$122,108 78
From construction fund.	115,715 48
To counties for their proportion of railroad tax.	44,857 28
Interest on bonds.	6,000 96
Exchange, etc.	24 22
Balance in treasury, Dec. 1, 1884.	208,854 75
Total.	\$497,839 47

RECEIPTS, 1884.	
Balance in treasury Dec. 1, 1883.	\$208,854 75
From counties.	214,031 04
Railroad tax, 1883.	127,336 37
Telegraph company tax, 1884.	738 90
Sale of laws.	1,207 00
Tax on insurance companies.	10,102 23
Warrants on general fund for credit insane hospital fund.	1,540 00
Warrants on general fund for credit North Dakota university fund.	1,119 05
Bonds from citizens of Grand Forks, construction of observatory.	2,997 00
Sale of bonds authorized for construction of various institutions.	82,839 22
Total.	\$650,763 56
DISBURSEMENTS, 1884.	
Paid auditors' warrants.	\$156,907 04
Paid counties proportion of railroad tax.	79,190 83
Paid interest on bonds.	18,704 25
Exchange, etc.	249 08
Paid warrant on construction fund.	176,995 80
Balance in treasury Dec. 1, 1884.	218,667 56
Total.	\$650,763 56

The indebtedness of the territory is \$392,500, divided as follows: \$100,000 in bonds bearing 5 per cent, \$292,500 in bonds bearing 6 per cent. Payable in 1901, 1902, 1903 and 1904.

TERRITORIAL AUDITOR.

The voluminous report of the territorial auditor shows the transactions and details of his office for the two years ending Nov. 30, 1884. The total amount of the warrants issued by the auditor for the biennial period is \$572,996.04. Of this amount \$248,305.03 were expended for the construction of public buildings, leaving the current expenses of the territory \$324,691.01 for the biennial period, an average of \$162,345.51 per year. The report shows 174 insurance companies doing business in the territory, of which all but three are outside corporations. Total premiums paid to these companies for the two years ending Jan. 1, 1884, were \$1,084,157.70; total losses paid, \$370,288.13, showing a gross profit to the companies of \$714,869.51. The tax levied on companies under the law and paid to the auditor amounted to \$10,102.23, and the fee from April 7, 1883, to November, 1884, \$7,185.

THE PUBLIC SCHOOLS.

The report of the superintendent of public instruction makes a very interesting and encouraging exhibit of the condition of the public schools of the territory. There are eighty-five organized counties, but only sixty-five of these have made the returns required by law, the remaining being comparatively new. From the returns made the following facts and figures are gained: Number of children, Jan. 1, 1884, over seven and under twenty years, 77,499. Number enrolled in the public schools, 50,031. Per cent of children of those enrolled, 65. Average cost for tuition per month for each pupil, \$2 20. Total number of teachers employed, 2,911. Number of male teachers, 863. Number of female teachers, 2,048. Average pay of teachers per month, \$39 43. Number of schools graded, 69. Number of schools ungraded, 1,930. Whole number of school houses, 1,926. Sittings in school houses, 69,560. School houses built during the year, 722. Value of permanent school property, \$1,689,658 00. Receipts by treasurer of school corporations, April 1, 1883, to June 30, 1884, \$1,603,562 99. Total expenditures, \$1,306,878 72. This does not include sums paid to county superintendents, expended for county and territorial institutes or for the erection of university, agricultural college or normal school buildings. The grand total, including all expenditures for educational purposes by the territory (not private institutions) is \$1,786,676.92. The superintendent's report has been received too late for careful examination, and consequently too late for any extended comment or recommendation, but enough has been gained by even a cursory reading to warrant me in saying that it deserves the careful examination of the legislature. I particularly invite attention to that part of the report which discusses the question of amending the existing law, and also to the remarks of the superintendent regarding the issue of school bonds and warrants. The report of the regents of the University of Dakota is incorporated in the superintendent's report and gives an exhibit of the expenditures in the building of the

university and its maintenance for the past year. The regents say: "In accordance with the purpose of the act creating this board, we have expended nearly \$5,000 to complete the wing of the building which was partially built by Clay county. We have erected an enclosed main building, the walls of which are Sioux Falls granite, the trimmings of stone from Stone City. The extreme size of this building is 68 by 116 feet. It is three stories high, with tower 111 feet 6 inches high, no the grade line. It is roofed with iron shingles. The board had not had sufficient money to complete the second and third stories in the main building. They ask an appropriation for the ensuing biennial term, amounting in the aggregate to \$59,450. The report of the regents of the North Dakota university is a clear and comprehensive statement of what has been done and what is hoped to do for that institution. I have but just received the report, which, like others, has been unfortunately delayed, and must refer the legislature to the document itself for details. The construction fund appropriated by the last legislature will fall about \$5,000 short of paying in full for the main building that has been erected. For other necessary buildings, heating apparatus, pay of president and professors, fuel and janitor's services, a further appropriation will be needed, the amount of which will have to be ascertained later. The building which is completed is 150 by 54 feet, three stories and a basement, and I am told is admirably adapted to its purpose. An observatory 22 feet 9 inches by 28 feet 5 inches, with two wings 20 feet 9 inches by 16 feet 8 inches and 20 feet 9 inches by 15 feet 8 inches, has also been constructed in fulfillment of the bond given to the territory. The trustees of the agricultural college at Brookings are required under the law to report directly to the legislature. I am informed that the institution has opened under favorable auspices, and that its success can scarcely be doubted. A building 68x80 feet, three stories and a basement in height, has been erected, which, when entirely finished, will accommodate three hundred pupils. Three of the rooms were finished and school opened in September last. No report has been received from the normal school at Madison. The building of the Madison school is of frame, two stories high, 70x50 feet, with a side projection for entrance. The plan is to veneer the structure with brick. It will accommodate two hundred students in classes. There were fifty-four students in attendance last year. The Spearfish building is of brick, 45x30 feet, and two stories high. Three terms of the school have been held. The report of the trustees was received but not yet transmitted herewith. The deaf mut school at Sioux Falls has an attractive site, and the new building provided for by the last legislature has been completed and occupied. It is 57x99 feet on the ground, and two stories and a basement in height. The material is of Sioux Falls stone, with pressed brick trimmings. There is a present attendance of thirty-one pupils, and the superintendent has the names of eighty additional deaf mutes now resident of the territory. The management suggests the desirability of constructing additional buildings.

TERRITORIAL PENITENTIARIES. The report of the directors of the Southern penitentiary at Sioux Falls shows the following receipts and expenditures: Total receipts from Jan. 1, 1883, to Nov. 29, 1884, \$87,547 00. Total expenditures for same period, \$6,598 70. The following table is given in the report: Average number of prisoners for 1883, 45. Average number of prisoners for 1884, 74. Average cost of maintenance for all persons per week (including officers), for 1883, \$1 60. Average cost of maintenance for all persons per week (including officers), for 1884, 1 30. Average cost for caring for prisoners per week, including all expenses except pay of officers, for 1883, 3 00. Average cost per week per prisoner, for officers and guards for 1883, 2 39. Average cost per week per prisoner for officers and guards for 1884, 2 06. The prisoners have performed 7,379 1/2 days' labor in the quarry and in the construction of new buildings, and 5,570 1/2 days' in and about the prison. No complete report has yet been received from the directors, and this vexatious delay renders it impossible to summarize many facts which might prove interesting and require comment. It seems that the prisoners have performed 7,379 1/2 days' labor in the quarry and in the construction of new buildings, and 5,570 1/2 days' in and about the prison. I am unable to say what this latter service consisted of, but taking it for granted that it was labor which represents the earning capacity of the prisoners if under contract, there was a total of 12,949 1/2 days' work represented, from which an income may be estimated. It seems that the directors have been offered 45 cents per day for the labor of prisoners, and at this rate the work performed during the past year would amount to \$5,827.27. I am inclined to think the earnings of the prisoners in the quarries would amount to considerably more than this, but the directors seem to think that this labor cannot be profitably continued.

The total appropriation by the last legislature for the Sioux Falls prison, excluding buildings, repairs and improvements, was for the year \$77,625. The total amount expended for maintenance, officers, employees, fuel, medicine, clothing, etc., was \$54,462.46. The average number of prisoners for the two years being 59 1/2, it will be seen that the total cost per prisoner, per year was \$477.48, and per week \$9.18. The cost of keeping the prisoners at the De Witt house of correction was \$78 per year, or \$1.50 per week, per man. The expense of transporting, however, was much greater, averaging about \$406 per man, while to the present prison it averages but \$101. With a small number of convicts, a penitentiary is an expensive institution to maintain, and though the time had when the territory demanded a place of her own for the reception of prisoners, this expense is considerably greater than when they were sent to a neighboring state. The expenditure per capita will diminish, of course, as the number increases, and it does not appear even now that the cost is very much greater than states having convicts something like an equal number of convicts. Below I give a comparison approximately correct between our prison and the state's prison of Vermont, which last year had 105 prisoners in her penitentiary (the number now at Sioux Falls): Total cost of salaries and labor for two years in Vermont prison for two years, including not including pay of directors or wardens, 22,432 28. Total cost of maintenance of Vermont prison, for two years, including buildings, repairs and improvements, 37,203 00. Total cost of Sioux Falls for two years, not including fuel, clothing or lights, 23,400 00. Total cost per inmate at Sioux Falls, as per directors' statement, 3 43. Cost per week per inmate in Vermont, 1 09. Cost per week per inmate at Sioux Falls for officers and guards, 2 16. Average number of inmates to each person employed regularly in Vermont, 74. Average number at Sioux Falls, 64. Average amount per year in Vermont, paid Vermont as income from prison, 10,095 72. Estimated amount paid the territory by prison at Sioux Falls, 5,827 00. Net cost per week per inmate in Vermont, 1 57. Estimated cost per inmate per week for ensuing two years at Sioux Falls, 2 25.

These are but hasty figures and based on insufficient data, but it is hoped that the complete report of the directors of the Sioux Falls penitentiary will show a full statement of all expenditures in detail, in order that a reliable comparison may be made with what is recognized as one of the most economical

state institutions in the country. The estimate of the directors of the Southern penitentiary for the ensuing two years is in round numbers \$68,800. This is for the ordinary running expenses of the prison, and is made on a basis of 135 prisoners. No calculation is made for the earnings of prisoners. The estimate of the directors of the Bismarck prison for the same purpose is \$36,652. This is based on an estimate of sixty prisoners, and eight months of two years. The directors of the latter prison also ask for an appropriation to make certain improvements amounting in all to \$47,900. Some of these improvements, such as a workshop, heating and plumbing, temporary yard wall, sewerage, etc., are necessary to the occupation of the prison. The directors also submit a full report of their expenditures in constructing the prison, with such recommendations and suggestions as they have thought necessary. The building seems to be well adapted to its purpose, and is a fair beginning to what will ultimately be made no doubt, when the wants of the territory require it, a structure of harmonious design and finish.

The cost of the Sioux Falls prison is of an imposing design, and would be regarded anywhere as an admirable structure for the purpose. The completion of the United States wing and the warden's residence adds much to the appearance of the structure, and makes it altogether one of the most complete penitentiary buildings in the West. The whole edifice is capable of accommodating two hundred prisoners, but what disposal will be made of the wing constructed for the general government is still uncertain. The directors have been in correspondence with the attorney general of the United States, with a view to assuming control of it, agreeing in return to care for all United States prisoners free of charge. What will be done, or whether under the law any such thing can be done, is a matter of some doubt. The whole prison is capable of accommodating two hundred prisoners. If it can be controlled by the territory, the accommodations thus furnished, together with those afforded with the Bismarck prison, would, in my judgment, be sufficient for the necessities of the territory without further enlargement before the next meeting of the legislature. It is important, however, that the question be settled, and a careful estimate be made, in order that the present legislature may make such preparations as appear necessary. It is probable that something definite will be known before the adjournment, when action can be taken.

ASYLUMS.

One building of the North Dakota insane asylum provided for by the last legislature, and located at Jamestown, has been completed, and the report of the trustees is presented herewith. This asylum, which is designed on the modern cottage plan, can of course be enlarged to any extent. The present building will accommodate fifty patients. The increase in the number of the insane is very large, and although accommodations are provided in the territory for 250 patients, I fear that additional provision must be made to meet the necessities of the next two years. There are already fifty patients or more from North Dakota (the full capacity of the Jamestown building) in the institution at Yankton. The trustees of the Jamestown hospital ask for an appropriation for an additional building, and submit an estimate of \$48,500 for the same, and improvement of the present hospital for the ensuing two years. This amount can be materially reduced in my judgment without seriously impairing the efficiency of the institution. The building which has been erected is a plain but neat and substantial structure, and is well adapted, I believe, to its purpose. It seems to have been erected with a fair regard to economy, but the land on which it stands has cost a much larger sum than was anticipated. The trustees make a full explanation of the matter in their report and the reasons which induced them to select the present site. A very full and complete report is submitted by the trustees of the Dakota hospital for the insane at Yankton, containing tables of much interest. The full copy of the present building, including the wing which has been lately completed, is two hundred. It appears that 108 patients from South Dakota alone were admitted to the asylum within the past year, a gain of sixty-eight over the year previous. At the same rate of increase there will be 291 patients in South Dakota at the end of two years. If the fifty patients now in the asylum be removed it will leave ninety-seven at Yankton, which will of course furnish accommodations for a year yet. From a hasty examination, however, it would appear necessary, as I have already stated, to make arrangements for enlarging both asylums by the close of 1886. The trustees of the Yankton asylum estimate that \$28,000 will enable them to build an additional wing contemplated, while \$15,000 will be required for furniture. If an appropriation for the building be made, I think the furnishing can await the action of the subsequent legislature, as it would scarcely be necessary to have the wing ready for occupancy before the end of two years. The full amount asked for by the trustees is (with wing) \$125,948.05; without wing, \$88,055.22. The present institution seems to have been managed with judgment and economy. The average cost of caring for patients has been but slightly over \$22 per week per patient. At Rochester, Minn., the cost has been \$33.44 per week, and at St. Peter, Minn., \$35.54. I cite the close attention of the legislature to the reports of the board of trustees, which are transmitted herewith.

TERRITORIAL BOARDS.

I suggest that the law relating to the per diem of various officers connected with public institutions be made more explicit. It is desirable that the auditing officer should be freed from all perplexity regarding the intention of the legislature, and also from the responsibility of interpreting laws of doubtful meaning. It is also desirable that the meetings of the various boards should have some limit as to number. These meetings, in some cases, having been held so frequently as to suggest the fear that they have been held unnecessarily. The amount paid to the various boards for per diem and mileage since the last meeting of the legislature is over \$20,000.

TERRITORIAL LIBRARY.

The library now belonging to the territory comprises upward of 7,000 volumes, and is rapidly growing, a large number of law reports and works of reference being received each year. It is a time suitable room was assigned to it, and a librarian appointed who will arrange and care for the books and aid persons in securing such works as they wish to examine. Of course the whole time of such librarian will not be occupied with this duty, and might be assigned in connection with other work, but the arrangement and care of the library would be the first object.

PUBLIC LANDS WITHIN RAILROAD GRANT.

There is a widespread feeling in the north-east part of the territory that the government lands lying along the Northern Pacific railroad, within what is known as the railroad limit, ought to be placed on the market at the regular government rate of \$1.25 per acre. Such action has been taken by congress in other cases of reserved lands, and there seems no good reason why it should not be done in this. The government is not a speculator, and it is not built to enhance the public revenue, but to open up the West to settlement and civilization. The legislature will be asked to take some action, by memorial or otherwise, regarding this question, and I cordially commend the object to your favorable consideration.

EXAMINATION OF PRIVATE BANKS.

Up to the year 1883 the private banks of the territory had to make returns to the United States collector, and were subject to examination as often as the officials thought necessary. Since these reports ceased there has been a want of determining the standing or condition of institutions of this kind, our own laws making no provision therefor. I call the attention of the legislature to the matter, both in the interest of sound and reliable houses of this kind, who will esteem it an advantage to have their condition known, and in the interest of the people at large, to whom such knowledge would prove a protection.

SCHOOL OF MINES.

It has long been thought that our educational system should be supplemented by a school of mines to be established in the great mineral regions of the Black Hills. The industry which contributes from eight to ten millions annually to the precious metals of the country is worthy of development and deserves your fostering care and encouragement. I am not prepared to recommend a definite plan and any action that may be taken must for various reasons be initial merely, but if a beginning can be made and a school or department in some existing institution established which shall finally attain magnitude and importance, the welfare of the whole territory will be enhanced. I have been requested also to call the attention of the legislature to the advisability of providing for a territorial geologist, it being deemed important to begin the work of a geological survey.

AMENDING INCORPORATION LAWS.

It has been represented to me by certain persons of standing and prominence in the territory that the general incorporation laws of Dakota do not entirely cover the organization of street railway lines to be run under the sanction of city governments. It is thought that a number of such companies may desire to perfect organization soon and I suggest an examination of this question from a view to such legislation as may cover the cases which will necessarily keep insisting on the powers granted by the organic act. It may not be improper to add that the experience of communities East shows a necessity for prudence in framing laws upon this subject, and that an abundance of safeguards for the protection of the citizens against imposition and extortion will be wise and timely.

AMENDING INSURANCE LAWS.

The insurance laws of the territory should be amended. Section 23 of said law requires a deposit on the part of foreign insurance companies of \$25,000 with the territorial treasurer before any business is transacted. I understand that the insurance companies very generally concluded to abandon the Dakota field when this law was enacted, but some have been doing so when section 46, which seems to apply only to holders of credit insurance companies and which permits the \$25,000 deposit to be made in a state where the company was organized, was interpreted by the auditor to apply to all companies, fire and accident alike. This interpretation will show the meaning to be somewhat rigorous, and it is quite probable that a more liberal construction of the provision of section 23 would have resulted in the hegira of companies, and proved extremely annoying, if not disastrous, to the property interests of the territory. One company acting under the advice of counsel who thought it would be liable to the penalties prescribed, notwithstanding the interpretation of the auditor, retired from the field and still remains outside. They say "Having endeavored to honestly obey the law we think we are entitled to protection. If the law means nothing it should be repealed, so that companies disposed to respect the acts of your legislature will not be deterred by conscientious scruples from doing business in Dakota." Finding this state of affairs existing upon my arrival in the territory, I did not try to change them, the interests of the people seeming to point to a continuation of the interpretation of the auditor, until the legislature assembled. It is, of course, important that this condition of affairs should not continue longer than is absolutely necessary, and that the law, if not radically changed, should be amended so as to admit of no doubt as to its meaning.

THE CAPITOL BUILDING.

The commission appointed by the last legislature under the act of November 14, 1880, for the erection of a capitol building provided for by the act of the legislature was ready for occupancy, and in obedience to the requirements of the law I issued a proclamation reciting that fact. Under the terms of the law the commission is required to report directly to the legislature. A few facts and suggestions, however, may be given here. The commission report the actual cost of the present building, exclusive of the pay of architect, the commissioners, etc., to be \$145,000. They have received from the sale of lots \$38,000. The whole number of lots belonging to fund was originally 1,000, appraised at \$123,415. Seven hundred and fifty of these lots remain unsold, beside 160 acres of land adjoining the townsite. The commission advise that the building proper, I am informed, about \$20,000. This does not include the heating and furnishing, which the citizens of Bismarck do not regard as coming within their contract to erect a capitol building. The appraisal of real estate conveyed to the territory by the city of Bismarck was made at a time when property values were high. When the times became less prosperous, the property would not sell at the price fixed by the commission; as there was no authority of law for a revaluation or selling at a figure below the minimum appraisalment the commission found themselves embarrassed for lack of funds, hence the debt of \$20,000 alluded to. I advised the commission to issue warrants on the building fund for the amount, but there being no balance in the fund, the course the creditors must wait. The real estate named is the property of the territory. It was intended to be disposed of to pay for the erection of this building. The fact that it has depreciated in value is a misfortune, but it does not alter the obligation entered into to pay the men who contributed time and material towards the structure and to pay them promptly. It may involve a sacrifice to sell the property now and some of the creditors may feel disposed to wait, but they should not be compelled to do this under protest. They did their work in good faith. They know only the single fact that the legislature of the territory had authorized the work and relying upon this authority they went forward. The act of the legislature may be overturned by a subsequent one, but the faith and credit and reliance that the outside world place in the lawmaking power should not be shaken by any failure to comply with contracts honestly performed under the color of law and under the direction of those chosen to administer it. I recommend, therefore, that the legislature confer upon the present or any future commission that may be appointed, the power to reappraise and sell the lands remaining to the capitol commission and pay their debts. As I have said, the heating apparatus is not included in the debt of \$20,000. The steam, of course, takes the place of stoves, except that so large a structure could scarcely be made comfortable with the latter. The property remaining unsold ought to be promptly sold, and will be, I doubt not, under proper management, to pay all the debts, including the expense of lighting, heating and furnishing. Such expenses, however, as properly belong to the territory should be met by the legislature, with the provision, if thought best, that the amount be charged to the building fund and paid out of the future sales of real estate. I take occasion to say here that the lights and furniture placed in the capitol are not furnished under any contract and stipulation, but are here simply for the inspection of the legislature, and for their use as they wish to secure them. So far as

I know, no assurances of purchase have been given to the firms that have undertaken the work, and the legislature can consider the subject without the slightest embarrassment growing out of any promises, though I hope with perfect justice and fairness. I may say further, because the subject has been discussed somewhat in the newspapers, that I understand this building to be the free gift of the people of Bismarck to the territory. I have accepted this assurance in good faith, and with no thought of any monetary reservations or evasions. I am sure the thought of asking for any return of the money expended has not entered the minds of the donors, and that no scheme or device for such return is contemplated; and I hope I need scarcely assure this legislature and the people of the territory that, relying upon the terms of the law under which this work was undertaken, no measure for repayment will meet the approval of the executive while I occupy the office and Bismarck remains the capital.

PARDONS. I have granted two pardons. On the 10th of December I pardoned William Decker, Joseph Young, who were convicted of "robbery by two or more persons," and on 21st of April, 1880, were sentenced to imprisonment for life. I was impelled to this by the fact that the men had served nearly five years, that their conduct had been good, that the amount was small, but \$500, that the principal offender escaped by turning state's evidence, that the presiding judge at the trial, the district attorney, the sheriff, clerk of court, all the jurymen who could be found, the present district attorney, county commissioners and many prominent citizens of Burleigh county, where the men were convicted, joined in a request for their release. The following pardons were granted under the administration of my predecessor, as appears from the records of this office, the list being furnished in obedience to the requirements:

John Bennett, grand larceny; sentenced April 2, 1881, for one year; pardoned Jan. 27, 1882. Jacob Schauk, grand larceny; sentenced Dec. 15, 1880, for eighteen months; pardoned Feb. 7, 1882. Martin L. Cou, murder; sentenced, October, 1880, to death; pardoned Feb. 13, 1882. James C. Lee, grand larceny; sentenced September, 1880, for three years; pardoned April 24, 1882. Charles E. Stone, forgery; sentenced Jan. 11, 1880, for five years; pardoned May, 1882. M. Dittenhofer, assault with intent to kill; sentenced March, 1882, for three years; pardoned Aug. 24, 1882. L. H. Stone, forgery; sentenced January, 1882; sentence suspended Aug. 21, 1882. N. Gagne, grand larceny; sentenced Dec. 30, 1881, for twenty-eight months; pardoned Aug. 22, 1882.

J. L. Gilmore, murder; sentenced, August, 1881, to death; respited Aug. 25, 1882. Brave Bear, murder; sentenced, November, 1881, to death; respited September, 1882. J. L. Gilmore, murder; sentenced, August, 1881, to death; respited Nov. 6, 1882. J. L. Gilmore, murder; sentenced, August, 1881, to death; respited Nov. 15, 1882. J. L. Gilmore, murder; sentenced, August, 1881, to death; respited Dec. 14, 1882. W. W. Corson, manslaughter; sentenced August, 1877, for seven years; pardoned Nov. 22, 1882. N. B. Ford, manslaughter; sentenced January, 1879, for fifteen years and six months. E. Durham, manslaughter; sentenced June, 1878, for twenty-one years; pardoned October, 1883.

S. Kleinsasser, aiding escape of prisoner; sentenced September, 1881, for four years; pardoned Dec. 29, 1883. James H. Brown, embezzlement; sentenced November, 1881, for fourteen months; pardoned Jan. 19, 1883. Peter T. Shovy, grand larceny; sentenced July, 1883, for four years; pardoned June, 1884. Jay Hall, embezzlement; sentenced June, 1884, for four years; pardoned June, 1884. D. Brazill, robbery; sentenced March, 1882, for five years; pardoned July 22, 1884.

THE NEW ORLEANS EXPOSITION.

Almost the first matter that required my attention after assuming the duties of the governor's office was the question of representation at the New Orleans exposition. It seemed very odd to go into an exhibit, and equally embarrassing to stand out from the state and territory in the Union was to make a display more or less elaborate, and for Dakota to attempt to compete without making a show commensurate with her importance appeared as undesirable as to make none at all. On the other hand there was no appropriation available, times were hard, money scarce and a general disposition to economize as much as possible. Finally a circular letter was issued from the executive office recounting the facts, and asking the various counties of the territory to contribute, in their discretion, a sum which in the aggregate would enable the commission to make a creditable display. The circular letter was issued at a time to permit the question to be submitted to a vote of the people of the various counties, should the commissioners deem such submission advisable or necessary. The boards which acted upon the matter decided it generally, I believe, without referring it to a vote, and in many cases where the decision was against the appropriation, or there was doubt as to the matter, contributions were made through the power of the county board to raise upon the enterprise of private parties who guaranteed notes in amount proportionate to the allotment of their respective counties. With this guarantee and the amount allowed the territory by the managers of the exposition, work went forward. Relying somewhat on the fact that the legislature of 1882 appropriated \$20,000 for the proposed work, I was fair in New York, which appropriated never drawn, owing to the failure of the contemplated exhibition, and strongly impressed with the importance of Dakota being represented at New Orleans, I approved the plan and lent it such encouragement as was in my power. The result is a display which I am informed, is at least fully equal to any territory which is sure to have a few, if any, of the states. It is but fair to credit whatever of success has been achieved in this direction to the untiring energy and patience of Commissioner McKenzie and his able assistants, Messrs. Melvin Grigsby of Sioux Falls and H. E. Fleming of Fargo, who have worked faithfully, continuously and under many discouraging circumstances to perfect this display. The details of what has been done and the expense incurred will be presented in a report of the commissioner to be transmitted later. He thinks that an appropriation of \$25,000 would enable the commissioners to enlarge and perfect the display until it will not be surpassed by anything at the exposition. The expense of collecting and transporting the large amount of material has been great, and I do not doubt but that the amount named would increase the attractiveness of the exhibit, but it is already of a character to reflect credit on the territory, and I am unwilling to recommend more than was set apart for this purpose by the legislature two years ago. I hope, however, that the amount of \$20,000, or so much thereof as may be necessary, will be appropriated, a full report of all expenditures to be made to the legislature, and if it is found impossible to completely close the accounts before the adjournment of the present body, to a subsequent legislature. The Hon. H. McVay, territorial treasurer, and A. R. Brown, Esq., of Canton, were designated by me to act temporarily in conjunction with the commission appointed by the president as a board of control and audit. It would be well now for the legislature to provide for such officials as may be deemed advisable, who shall serve until the close of the exposition, and who shall be authorized to distribute a pamphlet has been prepared for distribution at the exposition and elsewhere, 50,000 of which will soon be issued. The book is far from complete or satisfactory, but it will enable the various officers of the territory to respond to the many calls made upon them for information and will thus answer until something better is had.

I know, no assurances of purchase have been given to the firms that have undertaken the work, and the legislature can consider the subject without the slightest embarrassment growing out of any promises, though I hope with perfect justice and fairness. I may say further, because the subject has been discussed somewhat in the newspapers, that I understand this building to be the free gift of the people of Bismarck to the territory. I have accepted this assurance in good faith, and with no thought of any monetary reservations or evasions. I am sure the thought of asking for any return of the money expended has not entered the minds of the donors, and that no scheme or device for such return is contemplated; and I hope I need scarcely assure this legislature and the people of the territory that, relying upon the terms of the law under which this work was undertaken, no measure for repayment will meet the approval of the executive while I occupy the office and Bismarck remains the capital.

PARDONS.

I have granted two pardons. On the 10th of December I pardoned William Decker, Joseph Young, who were convicted of "robbery by two or more persons," and on 21st of April, 1880, were sentenced to imprisonment for life. I was impelled to this by the fact that the men had served nearly five years, that their conduct had been good, that the amount was small, but \$500, that the principal offender escaped by turning state's evidence, that the presiding judge at the trial, the district attorney, the sheriff, clerk of court, all the jurymen who could be found, the present district attorney, county commissioners and many prominent citizens of Burleigh county, where the men were convicted, joined in a request for their release. The following pardons were granted under the administration of my predecessor, as appears from the records of this office, the list being furnished in obedience to the requirements:

John Bennett, grand larceny; sentenced April 2, 1881, for one year; pardoned Jan. 27, 1882. Jacob Schauk, grand larceny; sentenced Dec. 15, 1880, for eighteen months; pardoned Feb. 7, 1882. Martin L. Cou, murder; sentenced, October, 1880, to death; pardoned Feb. 13, 1882. James C. Lee, grand larceny; sentenced September, 1880, for three years; pardoned April 24, 1882. Charles E. Stone, forgery; sentenced Jan. 11, 1880, for five years; pardoned May, 1882. M. Dittenhofer, assault with intent to kill; sentenced March, 1882, for three years; pardoned Aug. 24, 1882. L. H. Stone, forgery; sentenced January, 1882; sentence suspended Aug. 21, 1882. N. Gagne, grand larceny; sentenced Dec. 30, 1881, for twenty-eight months; pardoned Aug. 22, 1882.

J. L. Gilmore, murder; sentenced, August, 1881, to death; respited Aug. 25, 1882. Brave Bear, murder; sentenced, November, 1881, to death; respited September, 1882. J. L. Gilmore, murder; sentenced, August, 1881, to death; respited Nov. 6, 1882. J. L. Gilmore, murder; sentenced, August, 1881, to death; respited Nov. 15, 1882. J. L. Gilmore, murder; sentenced, August, 1881, to death; respited Dec. 14, 1882. W. W. Corson, manslaughter; sentenced August, 1877, for seven years; pardoned Nov. 22, 1882. N. B. Ford, manslaughter; sentenced January, 1879, for fifteen years and six months. E. Durham, manslaughter; sentenced June, 1878, for twenty-one years; pardoned October, 1883.

S. Kleinsasser, aiding escape of prisoner; sentenced September, 1881, for four years; pardoned Dec. 29, 1883. James H. Brown, embezzlement; sentenced November, 1881, for fourteen months; pardoned Jan. 19, 1883. Peter T. Shovy, grand larceny; sentenced July, 1883, for four years; pardoned June, 1884. Jay Hall, embezzlement; sentenced June, 1884, for four years; pardoned June, 1884. D. Brazill, robbery; sentenced March, 1882, for five years; pardoned July 22, 1884.

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