

WEDNESDAY, Aug. 7, 1889.

The Convention assembled at 2 o'clock p. m. pursuant to adjournment.

The President presiding.

Prayer was offered by the Chaplain.

The roll was called, all members absent being excused.

The Journal was read, corrected and approved.

REPORTS OF STANDING COMMITTEE.

The committee on apportionment made the following report:

MR. PRESIDENT:

Your committee on Apportionment and Representation have had under consideration Files Nos. 20, 33, 66 and 108, and respectfully recommend that they do not pass; and further report the annexed apportionment and representation and recommend that the same be adopted by the Convention.

AEDREW SLOTTEN,
Chairman.

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

First district shall consist of the townships of Walhalla, St. Joseph, Neche, Pembina, Bathgate, Carlisle, Joliet, Midland, Lincoln and Drayton, and be entitled to one senator and two representatives.

Second district shall consist of the townships of St. Thomas, Hamilton, Cavalier, Akra, Beaulieu, Thingvalla, Gardar, Park, Crystal, Flora and Lodema, and be entitled to one senator and two representatives. All in the county of Pembina.

Third district shall consist of the townships of Perth, Latona, Adams, Silvesta, Cleveland, Morton, Vesta, Tiber, Medford, Vernon, Golden, Lampton, Eden, Rushford, Kensington, Dundee, Ops, Prairie Centre, Fertile and Glenwood, and be entitled to one senator and two representatives.

Fourth district shall consist of the townships of Forest River, Walsh, Center, Grafton, Farmington, Ardoch, Harrison, Oakwood, Martin, Walshville, Pulaski, Ackton and St. Andrews, and be entitled to one senator and three representatives. All in Walsh county.

Fifth district shall consist of the townships of Gilby, Johnstown, Strabane, Wheatfield, Hegton, Arvilla, Avon, Northwood, Lind, Grace, Larimore and the City of Larimore, Elm Grove, Agnes, Inkster, Elkmonnt, Oakwood, Niagara, Moraine, Logan and Loretta, and be entitled to one senator and two representatives.

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, Lakeville and Levant, and be entitled to one senator and two representatives.

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, Benton, Americus, Michigan, Union and Washington, and be entitled to one senator and two representatives. All in the county of Grand Forks.

Eighth district shall consist of the county of Traill, and be entitled to one senator and four representatives.

Ninth district shall consist of the township of Fargo and the city of Fargo, and be entitled to one senator and two representatives.

Tenth district shall consist of the townships of Noble, Wisner, Harwood, Reed, Barnes, Stanley, Pleasant, Kenyon, Gardner, Berlin, Raymond, Mapleton, Warren, Norman, Elm River, Harmony, Durbin, Addison, Davenport, Casselton, and the city of Casselton, and be entitled to one senator and three representatives.

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, Ayr, Buffalo, Howes, Eldred, Highland, Rochester, Lake, Cornell, Tower, Hill, Clifton and Pontiac, and be entitled to one senator and three representatives.

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

Thirteenth district shall consist of the county of Sargent and be entitled to one senator and two representatives.

Fourteenth district shall consist of the county of Ransom and be entitled to one senator and two representatives.

Fifteenth district shall consist of the county of Barnes and be entitled to one senator and two representatives.

Sixteenth district shall consist of the counties of Steele and Griggs and be entitled to one senator and two representatives.

Seventeenth district shall consist of the county of Nelson and be entitled to one senator and one representative.

Eighteenth district shall consist of the county of Cavalier and be entitled to one senator and two representatives.

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

Twentieth district shall consist of the counties of Benson and Pierce and be entitled to one senator and one representative.

Twenty-first district shall consist of the county of Ramsey and be entitled to one senator and two representatives.

Twenty-second district shall consist of the counties of Eddy, Foster and Wells and be entitled to one senator and two representatives.

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

Twenty-fourth district shall consist of the county of LaMoure and be entitled to one senator and one representative.

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

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

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

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

Twenty-ninth district shall consist of the counties of Ward, McLean, and all the unorganized counties lying north of the Missouri river, and be entitled to one senator and one representative.

Thirtieth district shall consist of the counties of Morton and Oliver, and be entitled to one senator and two representatives.

Thirty-first district shall consist of the counties of Mercer, Stark and Billings and all the unorganized counties lying south of the Missouri river, and be entitled to one senator and one representative.

The members of the Committee on Public Institutions and Buildings submitted the following minority report:

SECTION 1. The Legislative Assembly shall have no power to change or to locate the seat of government of the state, but shall at its first session subsequent to the admission of the state, provide by law for submitting the ques-

tion of the permanent location of the seat of government to the qualified electors of the state at the general election then next ensuing, *provided*, that until the seat of government shall have been permanently located as herein *provided*, the temporary location thereof shall be at the city of Bismarck.

SEC. 2. When the seat of government shall have been located as herein *provided*, the location thereof shall not thereafter be changed except by a vote of two-thirds of all the qualified electors of the state voting on that question at a general election at which the question of location of the seat of government shall have been submitted by the Legislative Assembly.

SEC. 3. The Legislative Assembly shall make no appropriation or expenditure for capitol buildings or grounds until the seat of government shall have been permanently located as herein *provided*. All other public institutions shall be located by the Legislative Assembly at a regular session thereof, *provided*, that no more than one public institution other than those already established and maintained by law shall be located at any one session of said Legislative Assembly, except as aforesaid.

M. K. MARRINAN,
RICHARD BENNETT,
JOHN POWERS.

SECOND READING OF ARTICLES.

File No. 143 was read the second time.

Mr. Williams moved that the Convention now proceed to the consideration of the minority and majority reports of the Committee on Public Institutions and Buildings.

Which motion prevailed.

Mr. Miller moved that the Convention adopt as a whole the majority report of the Committee on Public Institutions and Buildings, known as File No. 143.

Mr. Bartlett of Griggs, offered the following as an amendment to the article to be known as section one:

The following article shall be submitted to a vote as a separate article as provided by the schedule.

Ayes and nays demanded on the amendment.

The roll being called there were ayes 31, nays 43, viz:

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Allin,	Douglas,	Peterson,
Almen,	Haugen,	Powers,
Appleton,	Johnson,	Rurcell,
Bartlett of Griggs,	Linwell,	Pollock,
Bean,	Marrinan,	Richardson,
Bell,	Mathews,	Robertson,
Bennett,	McBride,	Selby,
Best,	Noble,	Slotten,
Budge,	Nomland,	Turner,
Carothers,	O'Brien,	Wallace.
Colton,		

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Bartlett of Dickey,	Harris,	Paulson,
Blewett,	Hegge,	Powles,
Brown,	Holmes,	Ray,
Camp,	Hoyt,	Rolfe,

Carland,	Lauder,	Rowe,
Chaffee,	Leach,	Sandager,
Clapp,	Lohnes,	Scott,
Clark,	Lowell,	Shuman,
Elliott,	Meacham,	Spalding.
Fay,	McHugh,	Stevens,
Flemington,	McKenzie,	Wellwood,
Gayton,	Miller,	Whipple.
Glick,	Moer,	Williams,
Gray,	Parsons of Morton,	Mr. President.
Griggs,		

Absent and not voting, Mr. Parsons of Rolette.

And so the amendment was lost.

Mr. Bean moved to amend section one (1) by striking out in lines four and five the words "in such manner as the Legislative Assembly may prescribe," and substitute therefor the words "as provided in this Constitution."

Which amendment was lost.

Mr. Johnson moved to amend section 1 by striking out the words "Bismarck" in the sixth line and "Burleigh" in the seventh line, and inserting in lieu thereof the words "Jamestown" and "Stutsman."

Ayes and nays demanded on the amendment.

The roll being called there were ayes 19, nays 55, viz:

Those who voted in the affirmative were:

Messrs—	Messrs—	Messrs—
Allin,	Budge,	Noble,
Almen,	Carothers,	Peterson,
Appleton,	Haugen,	Richardson,
Bartlett of Griggs,	Johnson,	Robertson,
Bell,	Marrinan,	Turner,
Bennett,	Mathews,	Wallace,
Best,		

Those who voted in the negative were:

Messrs—	Messrs—	Messrs—
Bartlett of Dickey,	Hegge,	Powers,
Bean,	Holmes,	Powles,
Blewett,	Hoyt,	Purcell,
Brown,	Lauder,	Pollock,
Camp,	Leach,	Ray,
Carland,	Linwell,	Rolfe,
Chaffee,	Lohnes,	Rowe,
Clapp,	Lowell,	Sandager,
Clark,	Meacham,	Scott,
Colton,	McBride,	Selby,
Douglas,	McHugh,	Shuman,
Elliott,	McKenzie,	Slotten,
Fay,	Miller,	Spalding,
Flemington,	Moer,	Stevens,
Gayton,	Nomland,	Wellwood,
Glick,	O'Brien,	Whipple.
Gray,	Parsons of Morton,	Williams.
Griggs,	Paulson,	Mr. President.
Harris,		

Absent and not voting, Mr. Parsons of Rolette.

And so the amendment was lost.

Mr. Bean moved the previous question.

Which motion prevailed, and

The main question being put, the ayes and nays were demanded.

The roll being called there were ayes 44, nays 30, viz:

Those who voted in the affirmative were:

<p>Messrs— Bartlett of Dickey, Bean, Blewett, Brown, Camp, Carland, Chaffee, Clapp, Clark, Elliott, Fay, Flemington, Gayton, Glick, Gray,</p>	<p>Messrs— Griggs, Harris, Hegge, Holmes, Hoyt, Lauder, Leach, Lohnes, Lowell, Meacham, McHugh, McKenzie, Miller, Moer, Parsons of Morton,</p>	<p>Messrs— Paulson, Powles, Ray, Rolfe, Rowe, Sandager, Scott, Shuman, Spalding, Stevens, Wellwood, Whipple, Williams, Mr. President.</p>
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Those who voted in the negative were:

<p>Messrs— Allin, Almen, Appleton, Bartlett of Griggs, Bell, Bennett, Best, Budge, Carothers, Colton,</p>	<p>Messrs— Douglas, Haugen, Johnson, Linwell, Marrinan, Mathews, McBride, Noble, Nomland, O'Brien,</p>	<p>Messrs— Peterson, Powers, Purcell, Pollock, Richardson, Robertson, Selby, Slotten, Turner, Wallace,</p>
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Absent and not voting, Mr. Parsons of Rolette.

Messrs. Camp, Parsons of Morton, Rolfe, Turner, Williams and Mr. President explaining their votes.

And so the motion prevailed.

Mr. McHugh moved that the vote by which File No. 143 was adopted be reconsidered, and that the vote to reconsider be laid on the table.

Which motion prevailed.

Mr. Spalding moved to adjourn, which motion prevailed, and the convention adjourned.

EVENING SESSION.

The Convention assembled at 8 o'clock p. m., pursuant to adjournment.

Mr. Purcell moved that the Convention resolve itself into

Committee of the Whole for the consideration of the report of the Committee on Miscellaneous Subjects and such other business as may be on the Clerk's desk.

Which motion prevailed, and

Mr. President called Mr. Camp to the chair.

Mr. Flemington moved to adjourn.

Which motion prevailed and the Convention adjourned.

J. G. HAMILTON,
Chief Clerk.

THURSDAY, August 8, 1889.

The Convention assembled at 2 o'clock p. m., pursuant to adjournment.

The President presiding.

Prayer was offered by the Chaplain.

The roll was called. All members absent were excused.

The Journal was read, corrected and approved.

The report of the Committee of the Whole for August 7th, was read as follows:

When the committee rose the following report was presented:

MR. PRESIDENT:

Your Committee of the Whole have had under consideration the report of the Committee on Miscellaneous Subjects and recommend that File No. 36 be amended by striking out the words "General Assembly" wherever they occur in the file and inserting in lieu thereof the words "Legislative Assembly;" also strike out the word "Legislature" in the sixth line of section one (1) and insert in lieu thereof the words "Legislative Assembly;" also recommend that the further consideration of the following proposed substitute for section one be indefinitely postponed:

It shall be the duty of the Governor every seven years after the adoption of the Constitution to submit to the qualified voters of the state the following question: "Shall a Convention be called to revise the Constitution?"

If it shall appear that the sense of the people has been taken, and that in the opinion of a majority of the qualified voters in the state, voting at said election, there is a necessity for a revision of the Constitution, it shall be the duty of the Governor to call a Convention for that purpose.

The delegates to be chosen in the same manner and proportioned as the members of the house of representatives in the Legislative Assembly; *providing* that no amendment shall be made to this Constitution before the same shall be submitted to the people.

Also recommend that the further consideration of the following proposed amendment to section one (1) be indefinitely postponed: In lines three and ten strike out the words "a majority," and insert the words "three-fifths."

Also recommend that section one (1) be adopted as amended.

Also recommend that section two (2) be adopted.

The Committee have also considered File No. 59 and recommend that Section one (1) be amended so as to read: "The name of this state shall be North Dakota," and that as so amended the Section be adopted.

Also recommend that Section two (2) be adopted.

The Committee have also considered File No. 86, and the recommendations of the Committee on Miscellaneous Subjects thereon, and recommend