

THIRTY-THIRD DAY.

Monday, August 5th, 1889.

The Convention re-assembled at one o'clock P. M., with President Edgerton in the chair.

Prayer by Rev. S. F. Huntley, a member of the Convention:

Infinite Father, we recognize Thee as the source of all wisdom and of all power, and we look unto thee as we are now assembled for the last time in this Convention, for Thy benediction to rest upon us.

We pray Thee that Thou wilt guide, that this work now being accomplished shall go unto the people of this State, meeting their approval, laying the foundations of the prospective State and under the smile and approval of Heaven.

Bless us, each and everyone, as we go to our homes. Prosper us in the labor Thou callest us to do. Direct our minds and our hearts and let Thy blessings rest upon our homes and upon all the homes here represented—all the homes of our State. Give prosperity. Give that peace and happiness which comes from trusting in God. Let Thy blessing rest upon all the departments of government. Give energy and strength. Help us in the discharge of every duty.

And when we shall have accomplished the duties of life and ended our days of probation, receive us to Thyself, in Heaven.

We ask it in the name of Christ Jesus, our Redeemer,

AMEN.

Mr. Price, of Hyde called to the chair.

Mr. Edgerton, of Davison: Mr. President; while I won't say that I have any apprehension that our bonds cannot be changed into new bonds without affecting that provision of \$100,000 limitation, there are some men who fear that the officers who shall negotiate the bonds will have some apprehension that we are violating the Constitution, and for the purpose of obviating the possibility of objection under that, I ask unanimous consent to introduce this as an additional provision; and the enrolling Clerk has said that

putting this on will not delay the completion of the work fifteen minutes.

The President, pro tem: The Clerk will read the resolution.

The resolution was read as follows:

In order to facilitate action in accordance with resolution adopted August 3d, 1889, I ask unanimous consent to offer the following:

SECTION 8. The Territorial Treasurer is hereby authorized and empowered to issue refunding bonds to the amount of \$107,500.00, bearing interest not to exceed the rate of four per cent. per annum, for the purpose of refunding the following described indebtedness of the Territory of Dakota, to-wit:

\$77,500.00 five per cent. bonds, dated May 1st, 1883., issued for the construction of the west wing of the Insane Hospital at Yankton and \$30,000.00 six per cent. bonds, dated May 1st, 1883, issued for permanent improvements of Dakota Penitentiary at Sioux Falls, such refunding bonds, if issued, to run for not more than twenty years, and shall be executed by the Governor and Treasurer of the Territory, and shall be attested by the Secretary under the great seal of the Territory.

In case such bonds are issued by the Territorial Treasurer as hereinbefore set forth, before the first day of October, 1889, then upon admission of South Dakota as a State it shall assume and pay said bonds in lieu of the aforesaid Territorial indebtedness.

Mr. Edgerton, of Davison: Mr. President; I move the adoption of the resolution.

A Delegate: I second the motion.

The President, pro tem: Gentlemen of the Convention, it is moved that the resolution just read be adopted. Those who are of the opinion that the resolution be adopted, say aye; contrary, say no. The ayes have it and the motion prevails.

The President resumed the chair.

The President of the Convention: Reading of the Journal.

Mr. Price, of Hyde: Mr. President; I move that the reading of the Journal be dispensed with.

The President of the Convention: In the absence of objection, it will be so ordered.

Mr. Price, of Hyde: Mr. President; I have here a resolution which I ask the unanimous consent of this Convention to introduce at this time, and, as it is a matter in which the President of this Convention may have some delicacy in putting the question to the Convention, I will put it myself:

RESOLVED, That for the conspicuously able and impartial

manner in which he has presided over the deliberations of this Constitutional Convention and for his uniformly honorable and courteous treatment of the members and officers composing it, the Hon. A. J. Edgerton has the sincere thanks of this Convention; that the conspicuous part borne by him in securing the admission of South Dakota into the Union of States and the invaluable services rendered by him in framing the fundamental law of the new State, has inseparably linked his name with the history of the new commonwealth of South Dakota, and as a testimonial of our regard for him, he is hereby presented with the gavel which he has wielded with such dignity and fairness during the sessions of this Convention, and we cherish the hope that he may live many years to enjoy the rights and privileges of a citizen of the new State of South Dakota.

Mr. Clough, of Codington: I move its adoption.

Chorus of Delegates: "Second the motion—second the resolution".

Mr. Price of Hyde: It is moved and supported gentlemen, that the resolution just read be adopted. All those in favor of the adoption of the resolution will rise.

Mr. Price, of Hyde: It is unanimously adopted.

The President of the Convention: I cannot express to the delegates of this Convention upon the present occasion, the profound gratitude that I feel at this renewed expression of the members of this Constitutional Convention, for my effort on behalf of South Dakota.

If anything has been accomplished, gentlemen, to merit the approbation of the people, it is due to you, more than to me. I do believe that we can present to the people of South Dakota, when we go home, the best Constitution that was ever submitted to any people. I believe that they will be satisfied with our work, for in every single particular, from the Preamble to the closing sections of the Schedule, the rights and interests of the people have been sacredly guarded. We have guarded their school fund, so that in the years to come that most magnificent fund will educate every poor man's child, throughout the length and breadth of South Dakota. We have guarded their rights so that the Legislature cannot encroach upon them, and it has been the constant effort of every member of the Constitutional Convention to so frame a Constitution that the poorest man in the commonwealth will be equal to the richest, so far as the protection of his rights before the Courts is concerned. And, if I have been enabled to direct,

in the least, in the presentation to the people of this commonwealth of this organic law, I am grateful for it.

I shall long remember—as long as I live—this Constitutional Convention. While sometimes we have had closely contested questions, while issues may have been well defined, the members of this Convention have been so far removed from those passions that sometimes actuate bodies of this kind that after the issue has been settled things have proceeded in an orderly and intelligent manner, without leaving, so far as has been apparent, and so far as I believe, any rancor in the breast of any man.

I thank you; I thank you sincerely, gentlemen, for this expression of your confidence. (Great applause.)

I would say to the members of the Convention that unless it is otherwise ordered, I shall in a short time direct the Clerk to read the Constitution; that is, by the titles of separate articles simply, and then ask that a vote of the ayes and noes be taken upon its final adoption. After that has been done, we will sign it in the order the roll will be called, the members coming forward, as their names are called, to the Clerk's desk, and signing the Constitution. I say, unless it is otherwise ordered by the Convention, that will be considered by me as the will of the Convention. It may take half-an-hour to complete the enrolling of the Constitution. If there is any other business before the Convention, now is the time to bring it up.

Mr. Davies, of Edmunds: Mr. Chairman; I will make a report on behalf of the Committee appointed to secure the publication and distribution of the Constitution, and will state that the Committee has been at work as expeditiously as circumstances would warrant, and that the work will be pushed to completion as fast as the circumstances will permit.

The President of the Convention: Possibly someone in the Convention may be able to give the delegates some information with reference to a very important question—settlement of our accounts with the Secretary.

Mr. Huntley, of Jerauld: Mr. President; by arrangement, the Secretary is to be here this afternoon, in the room adjoining, where he will meet with the members and settle their accounts.

In regard to the amount of money in the "treasury", the Committee is not informed fully with regard to the expenses that have been made, but covering all other matters, by the reckoning of

the Committee, and lumping the incidental expenses at \$1000., there is \$18,821.20 to come out of the Congressional appropriation. This does not include the expense for clerks, and other matters not mentioned in the Omnibus Bill.

The President of the Convention: What is the further pleasure of the Convention?

Mr. Hole, of Beadle: Mr. President; it has been, I think, universally conceded that there was an omission in Section 2 of the report of the Committee on Public Indebtedness, and I ask unanimous consent to have a provision added. The report provides that the debt shall be \$100,000, but it makes no provision for funding the Territorial indebtedness; and I would ask unanimous consent to add this, at the end of Section 2.

"Provided, however; the state of South Dakota shall have the power to refund the Territorial debt by the State of South Dakota assumed, in bonds of the state of South Dakota."

Of course if there is an objection to this, it falls. It seems to be absolutely necessary to put it there, in order to give us power to fund the debt as it matures.

The President of the Convention: Is there any objection?

Is the Convention ready for the question?

As many as are in favor of its adoption, will say Aye; those of a contrary opinion, will say no.

The ayes have it and the resolution is adopted.

Mr. Price, of Hyde: Mr. President; I have a resolution which I send up and ask that it be read.

The resolution was read as follows:

"Resolved, That the thanks of this Convention are hereby tendered to Rev. F. A. Burick, Chief Clerk; Dr. A. W. Hyde, Enrolling and Engrossing Clerk; J. A. Wakefield, Chaplain; James Carney, Sergeant-at-Arms; E. C. Warner, Watchman; F. Hoppin, Messenger; Col. I. W. Goodner and T. G. Brown, Stenographers; and Albert Keith, Charley Walts and Frank Clough, Pages; for the faithful and able manner in which they have discharged the duties of their respective positions."

Mr. Price, of Hyde: Mr. President, I move the adoption of the resolution.

A Delegate: I second the motion.

The President of the Convention: You have heard the motion. Are you ready for the question?

As many as are in favor of its adoption will say aye; those opposed, no.

The ayes have it and the resolution is adopted.

Mr. Young, of Lake: Mr. Chairman; I have a resolution which I send to the Clerk's desk to be read.

The resolution, which provides for the allowance of mileage to certain clerks and the watchman and messenger, was read by the Clerk, but, on account of some slight confusion in the hall, the reading was inaudible to the reporter.

The President of the Convention: Is that to come from the United States, or the State?

Mr. Young, of Lake: From the State.

The President of the Convention: If it comes from the State, our rules provide just how to reach it. The rules provide that all such accounts must be presented to the Committee on Expenses and be by that Committee audited and then go to the Convention. If it is desirable, however, I will put the motion.

As many as are of opinion that the motion prevail, will say aye, those of a contrary opinion, say no.

The ayes appear to have it.

(Division called for.)

The President of the Convention: As many as are of opinion that the motion prevail, will rise and stand to be counted. Be seated. As many as are of the contrary opinion, will rise and stand to be counted. Be seated.

The motion is lost.

Mr. Caldwell, of Minnehaha: Mr. President; I desire to state to the members of the Convention that arrangements are being made for holding a reception in this room this evening, by the citizens of Sioux Falls, to the members of the Convention, officers, and so forth, and their ladies, and a formal invitation will be distributed soon, but I make this announcement now in order that if any should miss an invitation, they will understand that it is extended, nevertheless.

Mr. Willis, of Aorora: Gentlemen of the Convention, we have finished our work as a Constitutional Convention—as a body—and we have a matter now of a personal nature that we wish to perform before we leave. Will Brother Jolley please come forward? It is the unanimous desire of the Convention that Mr. Jolley perform this agreeable work and duty and pleasure, in the name and on the behalf of the Convention.

Mr. Jolley, of Clay: Mr. President; the closing hours of this

Convention have almost arrived. Nearly five weeks ago we assembled here in this hall, many of us strangers to each other, and here we have met and worked together during these weeks. We are just as other men are throughout this whole Territory and throughout this whole Western country—men of strong convictions, decided opinions, but having charity for those who differ from us. During the heat and excitement that has at times prevailed here in this Convention, men have stood by their opinions as firmly as men ever stood; they maintained their opinions by the logic of reason, by argument and appealing to the sympathies of the members of the Convention; but, during the whole Convention, no matter how warm our feelings, no matter how hot the debate ran, there has been no unkind word said. We will leave this hall with no unkind feelings in our breasts. We met strangers; we part as friends. And as the years go by, when these scenes that have been enacted in this chamber shall be brought back to our memories, we will remember each person who took part; those who fought us the hardest we will respect the most; those who stood by us we will respect as men who entertained the same opinions as ourselves; but, one and all, of both parties, look upon each other as friends, and when we meet in the future years, we will meet perhaps as brothers.

It is true, Sir, when this Convention met there was some feeling about who should preside over its deliberations. We all "want office", in our way, and he who says that he has no respect for the endorsement of his fellow-men, obtained in a fair manner, without resorting to tricks or subterfuges, but in a fair, open fight, is a man without heart of feelings; he is a man that this Western country knows not of. Hypocrites may cant and those who want office may smile their spurnings and say "we don't want it", still, in man's heart of hearts there is a satisfaction in the endorsement of our fellow citizens that brings gratification to ourselves and pride to our friends. A life well-spent is a noble thing, and to be endorsed by one's friends is a man's pride. Coming here in this manner and prompted by such feelings as those which characterize the delegates who have assembled here, after the little effervescence has been wiped away, when you, Sir, were elected as the President it is recorded with the heart and the wishes of every member of this Convention; and now while you have won our respect and our regard, on account of the place you have filled with such honor to

yourself and credit to the State, but Sir, at the close of this Convention we cannot only say that you have won our respect and our regard, but that you have won our hearts, too.

Then, Sir, in behalf of the members of this Convention, I present to you this protrait of each member of this Convention. Take it home; and when you look at the features remember that each is a friend; as you look upon their features remember that you met many of them as strangers, but that so long as life shall last, you shall be, as you are now, their friend. In the heat of a political fight friendships are sometimes wrecked,—friends are separated who have been linked together for many years; but remember, Sir, that up to this time and for your acts in this Convention, no matter, I say, what may happen in the future, you part with us now with our respect and sincere wishes and earnest prayers for your future health and prosperity. (Great applause).

The President of the Convention: Surprises come thick and fast. Four years ago I met in this hall the delegates who were sent up from the different constituencies of South Dakota to frame a Constitution. We met strangers. When I was then selected, without any solicitation on my part, to be the presiding officer of that Convention, it is with pride, perhaps with egotism, that I say I received the unanimous vote of that Convention, Democrat and Republican alike. Four years have succeeded, and with them a battle and struggle such as I have never witnessed in civil life before, for the division and admission of Dakota. We met again and by the same vote, the unanimous vote of the Democrats and Republicans alike, I was selected as your presiding officer—the highest I have ever filled, the highest office I ever expect to fill. To be a delegate in a Constitutional Convention establishing the fundamental law of the State of South Dakota, ought to fill the ambition of any reasonable man's heart; to be twice made the presiding officer of such a body, is an honor which is greater than that of any other office I ever have or ever will be called upon to fill. If I have succeeded in doing my duty here amid the active struggles of the Convention, so as to meet the approbation alike of all men, I have done more than I expected. I only expected, and I only assured you when I took that chair, that as far as in me lay, that I would discharge these duties impartially and to the best of my ability. If I have succeeded so that at the closing hours of this Convention you say to me you are satisfied that I have

endeavored to perform these duties well, I say it more than fills the measure of my ambition.

I thank you! I shall long remember the persons whose portraits are engraved upon this picture. I shall consider it beyond price and I hope to transmit it to my children with the same love and affection for each and every member of this Convention that I entertain for it. I sincerely thank you for this renewed expression of your kindness and affection. (Great applause).

Mr. Caldwell of Minnehaha: Mr. President: I hold here the official copy of the proceedings of the Joint Commission at Bismarck, and I suppose of course that the proper thing will be to include this record with the records of this Convention. I had hoped that Major Kellam, the Chairman of the South Dakota Committee would be here, but he is not at present, and I desire on behalf of the Committee to turn this over to the custody of the Convention.

The President of the Convention: What will the Convention do with the records of the Joint Commission.

Mr. Wescott, of Deuel: Mr. Chairman; I move it be deposited with the President of the Convention, by him to be deposited with the Secretary of State upon the admission of South Dakota into the Union.

A Delegate: I second the motion.

The President of the Convention: Is the Convention ready for the question? You have heard the motion. As many as are of opinion that the motion prevail, say aye; those of a contrary opinion, say no.

The ayes have it.

So the motion prevails.

Mr. Caldwell, of Minnehaha: I desire to state also in that connection that with these minutes there is also included a list of the books at this time in the Territorial library. We took the precaution to take that list, in order that there might be no question arise as to whether we got all the books we bought, not that any of us felt any apprehension there would be any of the books taken away, but it would certainly be documentary evidence to any person who might in the future think any such thing; and I suppose this will go over also with that record.

Mr. Hole, of Beadle: Mr. President; if I understand the condition of the business, it will probably be in order to adopt the

Constitution now, as a whole, if we have reached that stage, and I think we have.

The President of the Convention: Judge Corson can better inform the Convention as to that than I can. It was not ready a few moments ago.

I will state to the delegates that I have asked the Clerk of the Secretary (of the Territory) if he can come into the Committee room to settle with the delegates, and if he can, it will be more convenient for you and for him.

Possibly someone can inform us when the bound volume of the Constitution will be present—about how long before it will be ready.

Mr. Corson, of Lawrence: It will be here, Mr. President, in about five minutes.

The President of the Convention: The Convention may be informally at recess until called to order at the sound of the gavel.

RECESS.

The Convention came to order at 4 o'clock P. M., President Edgerton in the Chair.

The enrolled copy of the Constitution having been received from the Committee, the same was read by the Clerk, by title.

Mr. Kellam, of Brule: Mr. President; I offer the following resolution:

(Reading) RESOLVED, That the Constitution having been considered and acted upon Article by Article, the same be now passed, adopted and confirmed as a whole.

The resolution being put to vote, and there being 72 ayes and no noes, the same was declared adopted.

Thereupon, the roll being called, each member, as his name was called, came forward and signed the Constitution.

On the motion of Mr. Kellam, of Brule, it was ordered that the four stars, representing the States of North Dakota, South Dakota, Montana and Washington, upon the walls of the Convention hall, be left with Mr. Caldwell to be placed in the hall of the future State house.

A recess was taken until 4:30 o'clock P. M.

RECESS.

Four-thirty o'clock P. M.

Convention called to order with President Edgerton in the chair.

Mr. Fellows, of Aurora: Mr. President; I understand the disbursing officer, the representative of Secretary Richardson, is raising a question as to the mileage of the members of this Convention. Now, the Committee on Expenses of this Convention have figured up the mileage of all the members, and that report I understand he is not willing to accept, and now, to bring the matter to his attention in a proper way, I move you that the Chair appoint a committee of three members of this Convention to visit the officer disbursing the funds and try to get him to accept the report of the Committee.

A Delegate: I second the motion.

Mr. Peck, of Hamlin: Make it the action of this Convention, and then send it to him by a committee of three.

Mr. Fellows, of Aurora: And in that connection, Mr. President, I move you that we adopt the report of the Committee on Mileage.

The President of the Convention: We can't adopt it until we have it here.

As many as are of opinion that the resolution be adopted, say aye; opposed, no.

The ayes have it.

So the resolution is adopted.

I will appoint on that Committee, Mr. Caldwell, Mr. Van Buskirk and Mr. Price.

Mr. Fellows, of Aurora: Mr. President; I think we will be able to report that mileage matter to the Convention in a few moments, and I think the Convention ought to adopt it.

Mr. Van Tassel, of Sanborn: Mr. Chairman; I offer the following resolution and move its adoption:

RESOLVED, That the thanks of this Convention be extended to Assistant Secretary Hubbard, for his kind attention to the members of this Convention.

The President of the Convention: Well, he is not Assistant Secretary.

Mr. Van Tassel, of Sanborn: Well, representative of the Secretary.

The President of the Convention: It is moved that the thanks of the Convention be extended to Mr. Hubbard for his kindness and attention to the members of this Convention since the Con-

vention convened. As many as are of the opinion that the motion prevail, say aye; those of a contrary opinion, say no.

The ayes have it.

So the resolution is adopted.

Mr. Anderson, of Hand, called to the chair.

Mr. Edgerton, of Davison: Mr. President; I offer the following resolution and move its adoption:

RESOLVED, That the Committee authorized by the Convention to publish the debates, secure the publication of the same at the earliest possible time when the funds can be secured, either from the United States or the State, and that the published debates be distributed the same as the Journals.

A Delegate: I second the motion.

The President, pro tem: The gentleman from Davison offers the resolution read in your hearing and moves its adoption. Are you ready for the question?

As many as are in favor of the motion will say aye; those opposed, say no.

The motion prevails and the resolution is adopted.

President Edgerton resumed the chair.

Mr. Van Tassel, of Sanborn: Mr. President; I move a reconsideration of the motion that when the Convention adjourn today it adjourn sine die.

The President of the Convention: I presume this motion is made with the thought that in case some other obstacle should arise to prevent our being paid today, we may need to have a session tomorrow.

A Delegate: I second the motion, Mr. President.

The President of the Convention: As many as are in favor of the motion will say aye; those of a contrary opinion will say no.

The ayes have it and the motion is reconsidered.

Mr. Van Tassel, of Sanborn: Mr. President; I move you that the further consideration of the motion pending, which is that when this Convention adjourn it adjourn sine die, be postponed until seven o'clock this evening.

A Delegate: I second the motion.

The President of the Convention: It has been moved that the further consideration of this motion be postponed until seven o'clock this evening. As many as are of the opinion that the

motion prevail, will say aye; those of a contrary opinion, will say no.

The ayes have it.

So the motion prevails.

Mr. Price of Hyde: Mr. President; I desire to state that the Committee appointed to confer with the disbursing officer, has seen him, or a majority of the Committee has seen him, and we have this to report:

That there are some discrepancies in the amount of mileage for the delegates, and he is now engaged in preparing a pay-roll and refiguring the mileage of the different members, and he announces to us that he will not get the pay-roll ready before six o'clock, and we have requested him to compare that with the one prepared by the Expense Committee, and then check where there is any difference, and at that time we will go over them with him.

Mr. Van Eps, of Minnehaha: Mr. President; I move that when this Convention adjourns until seven o'clock they meet in the rooms below, in order that the citizens may have the opportunity to prepare this room for the banquet this evening.

A Voice: Second the motion.

The President of the Convention: It has been moved that the Convention reassemble this evening, when we meet at seven o'clock, in the rooms below. Is the Convention ready for the question?

As many as are of the opinion that the motion prevail, will say aye; opposed, no.

The ayes have it.

So the motion prevails.

Mr. Huntley, of Jerauld: Mr. President; your Committee on Expenses make the following report:

It is suggested by a member of the Committee that we request the privilege of receiving this report again, that we may make a correct copy, free from these marginal notations made for the benefit of members merely.

The President of the Convention: What will the Convention do with the report?

A Voice: Move it be adopted.

Mr. Van Tassel, of Sanborn: I move you, Sir, that in the matter of C. A. Anderson, Clerk of the Committee on Apportionment, the amount be changed from \$110 to \$125. He was paid

\$125 by the Secretary—three days more than is allowed by the Committee.

The President of the Convention: If he has been paid, why is it brought in here?

Mr. Huntley, of Jerauld: Mr. President; I will say that Mr. Hubbard appeared before the Committee and gave an explanation. It appears that he paid some of these clerks before he knew that he had not authority to do so. He came before the Committee and asked that the Committee recommend to the Convention that he receive vouchers for the amount that he paid to these men and that the balance be paid to them. The Committee were willing enough to make such recommendation. If it has not been inserted there—if I remember rightly some action was taken by the Committee, but it was all done in a hurry and it has escaped the record, but the Committee did recommend that Mr. Hubbard receive vouchers for the amount that he paid, and the memorandum of it is in the hands of the Committee.

The President of the Convention: The Committee report \$110 in the case of Mr. Anderson?

Mr. Huntley, of Jerauld: And that is the amount that Mr. Hubbard paid Mr. Anderson.

Mr. Van Tassel, of Sanborn: Then I withdraw my motion. I thought he paid him \$125.

The President of the Convention: Does the Committee recommend that these vouchers shall be paid to Mr. Hubbard?

Mr. Huntley, of Jerauld: Yes, Sir; vouchers of \$110. paid to Mr. Anderson; and that \$95. out of the \$140 for Mr. Hannett, and \$75 out of the \$140 for Mr. Deitz, be paid to Mr. Hubbard, and the balance go to these parites.

The President of the Convention: Then the recommendation of the Committee is that those accounts be divided and separate vouchers be issued?

Mr. Huntley, of Jerauld: Yes, Sir; and I would ask leave to add to our report this bill handed in by Mr. Hubbard for the amounts he paid these clerks. We designed to incorporate it, but in our haste in writing it up we omitted to do so.

The bill of Mr. Hubbard referred to, was here sent to the desk and read.

The President of the Convention: Do I understand the Com-

mittee to recommend that this voucher to Mr. Anderson be delivered to Mr. Hubbard?

Mr. Huntley, of Jerauld: That is the request, and that the amounts named in the bill of Mr. Hubbard there—that these vouchers be issued to go to him, and the balance of the amounts to Mr. Deitz and Mr. Hannett.

The President of the Convention: I think it would be a little better, and it would not involve the two officers that sign these vouchers, if the Committee themselves had recommended this in their report.

Mr. Huntley, of Jerauld: Motion was made in the Committee to do so, but in writing up the work after action had been taken, it was inadvertently omitted.

The President of the Convention: Correct the inadvertence then, so that the President of the Convention and the Chief Clerk will have no difficulty in determining just what the exact will of the Convention is.

Those of the opinion that the report of the Committee be adopted, say aye; those of a contrary opinion, say no.

The ayes have it and the report is adopted, with the understanding that the Chairman of the Committee may make corrections.

A Delegate: I move we take a recess until seven o'clock this evening.

A Voice: I second the motion.

The President of the Convention: It is moved that the Convention take a recess until seven o'clock this evening. Those of the opinion that the motion prevail, say aye; contrary, no.

The ayes have it and the Convention will stand in recess until seven o'clock, when we will meet in the rooms below.

RECESS.

Seven o'clock, P. M.

The Convention was called to order in the lower rooms.

President Edgerton presiding.

There being no further business before the Convention, save the settlement of accounts of members, a recess was taken until nine o'clock.

RECESS.

Nine o'clock, P. M.

The Convention was called to order, President Edgerton, presiding.

On motion of Mr. Jolley, of Clay, the Constitutional Convention of South Dakota, adjourned, sine die.

ADJOURNED.