

ago the Legislature of Dakota passed a woman suffrage law, carrying it through both houses, but it was vetoed by Governor Pierce. He was appointed to exercise his judgment and conscience, and doubtless he did what he thought was right. Give us Woman Suffrage in the body of the Constitution or a clause empowering the Legislature to take that step when the judgement of the public will sustain it. I thank you for the honor of addressing this historic assembly on this historic occasion, and I trust you will give Woman Suffrage candid and earnest and enthusiastic support. When we have organized on these great plains the leading communities of America, we can all exclaim with Longfellow in his apostrophe to the Union:

Thou, too, sail on, O Ship of State!  
Sail on O UNION, strong and great!  
Humanity with all its fears,  
With all the hopes of future years,  
Is hanging breathless on thy fate!  
We know what Master laid thy keel,  
What Workmen wrought thy ribs of steel,  
Who made each mast, and sail, and rope,  
What anvils rang, what hammers beat,  
In what a forge and what a heat  
Were shaped the anchors of thy hope!  
Fear not each sudden sound and shock,  
'Tis of the wave and not the rock;  
'Tis but the flapping of the sail,  
And not a rent made by the gale!  
In spite of rock and tempest's roar,  
In spite of false lights on the shore,  
Sail on, nor fear to breast the sea!  
Our hearts, our hopes, are all with thee,  
Our hearts, our hopes, our prayers, our tears,  
Our faith triumphant o'er our fears,  
Are all with thee,—are all with thee!

Mr. STEVENS. I move to adjourn.

The motion prevailed and the Convention adjourned.

## EIGHTH DAY.

BISMARCK, *Thursday, July 11, 1889.*

The Convention met pursuant to adjournment, the PRESIDENT in the Chair.

Prayer was offered by the Rev. Mr. KLINE.

Mr. PRESIDENT announced the committees which he had appointed, as follows:

*Printing*—Roger Allin, chairman, Walsh; C. P. Parsons, Rolette; C. V. Brown, Wells; J. B. Gayton, Emmons; W. J. Clapp, Cass.

*Reporting and Publication*—J. F. Selby, chairman, Traill; Andrew Blewett, Stutsman; J. Wellwood, Barnes; O. G. Meacham, Foster, A. S. Parsons, Morton.

*Accounts and Expenses*—O. G. Meacham, chairman, Foster; E. W. Paulson, Traill; A. W. Hoyt, Morton; B. R. Glick, Cavalier; M. F. Hegge, Traill; Edward Lohnes, Ramsey; Elmer Elliott, Barnes.

*Preamble and Bill of Rights*—R. N. Stevens, chairman, Ransom; Elmer Elliott, Barnes; A. D. Flemington, Dickey; S. H. Moer, LaMoure; Joseph Powles, Cavalier; M. V. Linwell, Nelson; J. E. Carland, Burleigh; E. W. Chaffee, Cass; Ezra Turner, Bottineau.

*Legislative Department*—E. A. Williams, chairman, Burleigh; Roger Allin, Walsh; W. E. Purcell, Richland; Addison Leach, Cass; E. S. Rolfe, Benson; R. B. Richardson, Pembina; R. N. Stevens, Ransom; Andrew Slotten, Richland; J. W. Scott, Barnes; Knud Nomland, Traill; A. F. Appleton, Pembina; William Budge, Grand Forks; W. H. Rowe, Dickey.

*Executive*—W. H. Rowe, chairman, Dickey; John Shuman, Sargent; J. H. Mathews, Grand Forks; H. F. Miller, Cass; Alexander Griggs, Grand Forks; David Bartlett, Griggs; J. A. Douglass, Walsh; J. L. Colton, Ward; William Ray, Stark.

*Judicial Department*—John E. Carland, chairman, Burleigh; W. S. Lauder, Richland; David Bartlett, Griggs; J. F. Selby, Traill; R. M. Pollock, Cass; J. F. O'Brien, Ramsey; B. F. Spalding, Cass; M. K. Marrinan, Walsh; Richard Bennett, Grand Forks; S. H. Moer, LaMoure; V. B. Noble, Bottineau; R. N. Stevens, Ransom; A. D. Robertson, Walsh; M. N. Johnson, Nelson; W. H. Rowe, Dickey.

*Elective Franchise*—A. S. Parsons, chairman, Morton; Charles Carothers, Grand Forks; Ezra Turner, Bottineau; R. M. Pollock, Cass; H. M. Clark, Eddy; James Bell, Walsh; J. Wellwood, Barnes; G. H. Fay, McIntosh; M. F. Hegge, Traill; O. G. Meacham, Foster; W. B. Best, Pembina; William Ray, Stark; V. B. Noble, Bottineau.

*Education*—J. D. McKenzie, chairman, Sargent; H. M. Clark, Eddy; W. J. Clapp, Cass; Elmer Elliott, Barnes; Charles Carothers, Grand Forks; J. McBride, Cavalier; J. A. Douglas, Walsh.

*Public Institutions and Buildings*—H. F. Miller, chairman, Cass; A. O. Whipple, Ramsey; Richard Bennett, Grand Forks; Joseph Powers, Sargent; M. K. Marrinan, Walsh; J. W. Scott, Barnes; E. A. Williams, Burleigh; E. W. Camp, Stutsman; A. W. Hoyt, Morton.

*Public Debt and Public Works*—E. D. Wallace, chairman, Steele; T. W. Bean, Nelson; Knud Nomland, Traill; J. Lowell, Cass; H. L. Holmes, Pembina; Alexander Griggs, Grand Forks; B. R. Glick, Cavalier; J. Powers, Sargent; G. H. Fay, McIntosh.

*Militia*—P. McHugh, chairman, Cavalier; G. H. Fay, McIntosh; John Almen, Walsh; Andrew Blewett, Stutsman; J. H. Mathews, Grand Forks.

*County and Township Organizations*—A. F. Appleton, chairman, Pembina; T. W. Bean, Nelson; Enos Gray, Cass; E. S. Rolfe, Benson; J. McBride, Cavalier; A. Sandager, Ransom; John Shuman, Sargent; E. W. Chaffee, Cass; M. V. Linwell, Grand Forks.

*Apportionment and Representation*—Andrew Slotten, chairman, Richland; H. L. Holmes, Pembina; A. F. Appleton, Pembina; P. McHugh, Cay-

alier; J. L. Colton, Ward; Harvey Harris, Burleigh; A. S. Parsons, Morton; C. V. Brown, Wells; L. D. Bartlett, Dickey; A. Sandager, Ransom; John Shuman, Sargent; H. F. Miller, Cass; H. M. Peterson, Cass; W. J. Clapp, Cass; J. Wellwood, Barnes; Andrew Blewett, Stutsman; E. S. Rolfe, Benson; E. D. Wallace, Steele; Knud Nomland, Traill; William Budge, Grand Forks; J. H. Mathews, Grand Forks; M. N. Johnson, Nelson; Edward Lohnes, Ramsey; James Bell, Walsh; John Almen, Walsh.

*Revenue and Taxation*—J. L. Colton, chairman. Ward; W. S. Lauder, Richland; M. F. Hegge, Traill; E. D. Wallace, Steele; Enos Gray, Cass; Harvey Harris, Burleigh; W. B. Best, Pembina; A. D. Robertson, Walsh; J. McBride, Cavalier; E. M. Paulson, Traill; S. H. Moer, LaMoure; H. M. Peterson, Cass; Joseph Powles, Cavalier; David Bartlett, Griggs; A. O. Whipple, Ramsey.

*Municipal Corporations*—Richard Bennett, chairman, Grand Forks; J. Lowell, Cass; J. F. O'Brien, Ramsey; C. P. Parsons, Rolette; A. D. Flemington, Dickey; John Powers, Sargent; Addison Leach, Cass; J. F. Selby, Traill; P. McHugh, Cavalier.

*Corporations Other than Municipal*—M. N. Johnson, chairman, Nelson; W. E. Purcell, Richland; E. D. Wallace, Steele; Jacob Lowell, Cass; L. D. Bartlett, Dickey; S. H. Moer, LaMoure; James Bell, Walsh; J. L. Colton, Ward; A. S. Parsons, Morton.

*Miscellaneous Subjects*—W. E. Purcell, chairman, Richland; J. E. Carland, Burleigh; A. W. Hoyt, Morton; C. V. Brown, Wells; E. W. Chaffee, Cass; A. P. Haugen, Grand Forks; M. K. Marrinan, Walsh.

*Schedule*—W. S. Lauder, chairman, Richland; H. F. Miller, Cass; J. B. Gayton, Emmons; John Almen, Walsh; V. B. Noble, Bottineau; E. A. Williams, Burleigh; J. D. McKenzie, Sargent.

*School and Public Lands*—H. M. Clark, chairman, Eddy; B. F. Spalding, Cass; T. W. Bean, Nelson; William Budge, Grand Forks; W. B. Best, Pembina; William Ray, Stark; J. A. Douglas, Walsh; R. B. Richardson, Pembina; Addison Leach, Cass; A. D. Robertson, Walsh; J. D. McKenzie, Sargent; Roger Allin, Walsh; L. D. Bartlett, Dickey.

*Temperance*—A. P. Haugen, chairman, Grand Forks; L. D. Bartlett, Dickey; R. M. Pollock, Cass; A. Blewett, Stutsman; Ezra Turner, Bottineau.

*Revision and Adjustment*—David Bartlett, chairman, Griggs; O. G. Meacham, Foster; J. E. Carland, Burleigh; E. W. Camp, Stutsman; V. B. Noble, Bottineau.

*Impeachment and Removal from Office*—Ezra Turner, chairman, Bottineau; M. V. Linwell, Nelson; R. B. Richardson, Pembina; E. W. Paulson, Traill; A. D. Flemington, Dickey; C. V. Brown, Wells; J. F. O'Brien, Ramsey.

Mr. WILLIAMS. I cannot see as that there is anything likely to come up under our order of business this afternoon, and it seems to me that it would be the proper thing for us to recognize that Dakota has a Governor. Thus far we have not recognized our territorial executive at all, and while he comes from South Dakota I believe the people of North Dakota have the highest respect for

him, and therefore I move that Governor Mellette be requested to address us at this time.

Seconded by Mr. BARTLETT of Dickey, and carried.

A committee consisting of Messrs. ROBERTSON, STEVENS and MOER was appointed to notify Governor MELLETTE of the resolution.

#### THE GOVERNOR'S REMARKS.

On Governor MELLETTE'S arrival, President FANCHER said: A pleasant duty devolves upon me. I have the pleasure of presenting to you the gentleman who enjoys undoubtedly the distinction of being the last Governor of united Dakota. He needs no eulogy from me. I have simply to mention his name—the Honorable A. C. MELLETTE of Watertown.

Governor MELLETTE said:

MR. PRESIDENT AND GENTLEMEN OF THE CONVENTION: I assure you that I esteem it an honor to be invited to appear before you upon this occasion. I regret exceedingly that I have not some communication to make to you that might possibly aid you in your labors. To be called upon at a moment's notice to appear before a body of gentlemen of this character, is to me embarrassing. The business of a legislator is under any circumstances, the most honorable duty to which a citizen can be called, especially in a republican form of government where the laws are made absolutely by the legislators. But the duty of creating the fundamental law of the state—the law which is not easily set aside—which is to be the basis of all legislation in the future, until it is changed by the people, is a high honor indeed, and that is the work which you, gentlemen of this Convention, have to perform. Being called forth from the body of the various constituencies which you represent, you are engaged in the work of establishing a municipal government. It is your prerogative to lay the foundations of future legislation of the state, and after it shall have been ratified by the people it will be the law of the state until again changed by a similar body, or by the people themselves. It is as you have doubtless considered before this time, an important trust. Your work is not to be set aside by each succeeding Legislature. The people alone can undo it after they have once sanctioned your work. Your work will probably be sanctioned. That fact adds to the importance of your duties. The short time that will be left for investigation of your work, and the fact that your constituents are anxious to assume the duties of citizens of the State of North Dakota, will render it almost certain that your work will be adopted as the organic law of your State. Hence the importance of making it what you will desire to have it after you go home, and what your people desire, in order that they may remember you with pleasure in the future, and that you may be satisfied with the work that you now have to do. You have in this body, doubtless, representatives of all political bodies and political ideas. While I will admit that at times I may be blinded to the necessity of political assistance outside of my own ideas and beliefs, yet there is one body, and that the one which you comprise, in which it is proper and absolutely necessary that all the different ideas on the subject of

Legislation should be embraced. Here you meet and present your different ideas. You will, while discussing them find them almost as varied as are the men in this Convention. You will be astonished to find when you assert a proposition, how few will endorse it clear through. During your discussions you will find out the reasons for the differences which exist among the people upon political questions. These discussions may perhaps tend to weaken your confidence in your own opinions. If you are men of breadth and listen to all the gentlemen who oppose you, after the discussions are over you will determine what is the proper thing to do upon the questions that have been discussed. I feel, gentlemen, that there are two distinct policies to be pursued by you in the formation of your Constitution. The one is to embody in it as little legislation as possible; to embody nothing but fundamental principles, glittering generalities, declaring the law of the land on the different propositions which are to be legislated on in future. That was the original idea and theory of what a constitution should contain in our early states. But as years have gone by; as the interests of the people have become more and more complex; as our commercial relations have extended and the entire government has assumed that wonderful complexity which is a wonder to ourselves and an astonishment to the world; as it becomes more complicated and our legislation more difficult in every direction, the states have adopted the idea of embracing in their fundamental law as much legislation as they can with safety, instead of as little as they can. And still you will say that it is better to err on the side of generalities than on the side of legislation, because once embodied therein it is very difficult to get rid of it and effect a change. But if it is right, if you know what is the proper thing to embrace in your legislation, the more there is in the constitution the better for the people. One of the greatest evils is excessive legislation—the constant change every two years of the laws, and the squabbles and debates over the different questions that constantly arise. It is wise in my judgment, after the people have decided in which direction their interests lie, to embody them in the fundamental law of the land and make it permanent. Here is one of the great evils from which we have suffered as a territory. Every Legislature had the power to undo what all the Legislatures had done before. It seemed that they enjoyed the privilege during the many years that have passed. They attempted to do as much of it as possible, and they succeeded in obtaining for us a great confusion in our laws. You will see as you come to study the question and study the history of constitutional legislation, that the modern tendency is to embrace in the Constitution as much of the necessary legislation of the State as can be done with perfect safety. That has been the tendency for many years. Many of the old states have had much difficulty in this matter, and have found it impossible to have peace and harmony in their borders until they have settled many questions in this way. The question of taxation, or corporate power, and the question of the method of exercising the franchise and all those similar very important questions are embodied in this schedule. I need not advise you, for you are intelligent gentlemen, and have lived in this country until you know its wants and necessities—and you have given your thoughts to the subject of legislation, or you would not have been selected to come to this important body.

There is one question which in my mind should receive special attention, and that is the question of securing the purity of the franchise. I know not

what may be the best thing to secure this desirable result. It is to my mind a query as to the proper method to be adopted in order to purify the ballot—whether the secret ballot or an entirely open ballot is the best. Both have been tried. There is one point on which we are all agreed, and that is that the ballot of America needs purification, and unless it is purified this great government on which it rests will sink away in the near future, and we shall cease to be a self governing nation. I do not pretend to say to you, gentlemen, what the necessary and proper requisities of safety are that should be drawn around the ballot box, but there is one fact to which we cannot shut our eyes—and that is that the world moves forward. There have been important advances made in this department of experience of Legislative wisdom, and in my judgment what this country will have to adopt will be the secret ballot. It perhaps has its evils, but the evils which are to be overcome we are certain can be removed to a large extent in that way—that is to say, the evils which arise largely from the open ballot. The man who can deliberately walk up to the ballot box and deposit a ballot which has been purchased and paid for, either as a citizen at the polls in his precinct or in the Legislative halls, should never be allowed to exercise the prerogative of an American citizen in casting another ballot. It occurs to me that that would be a wise provision to start out with, and I should propose the same penalty on the man purchased as on the man who offered to purchase. Of course it is difficult to enforce such a penalty; so it is difficult to enforce any penalty under our penal code, but that appears to me to be simple justice. If a man does not regard his ballot of more value than to sell it, take it away from him. Let those only have it who regard it as being of more consequence. It has been suggested in one of the public prints of your state, recently, that the cost of this new system of voting is more than you can afford—that it will cost several thousands of dollars extra to adopt the system of secret voting that has been adopted by some other countries and found satisfactory. In my judgment the purity of the ballot cannot be obtained at too high a price. You cannot pay too much for it. If in your judgment you can by this method place restraint about the ballot which will make it more sacred; which will preserve it in its purity, you should not stop to count the cost, for the purity of the ballot is everything to this country. During the war the question arose whether or not a million dollars a day should be expended to maintain the nation. It was necessary to make this great expenditure in order to save the whole; and so it is on the question of the ballot. If you can secure it, it will not be obtained at too high a cost. In this country, it is in the new states that the ideas are being formed which may be necessary in order to the success of our government. It is here that these ideas are being originated. I believe that the people of the Mississippi valley are to become in the future the arbitrators of this nation, and the great questions that will arise. They are neither in the east or the west, the north or the south. They are in the centre of the country, occupying and lying on the great artery from which the pulsations go out to the entire nation. It will be your duty to judge and settle the questions that may arise among the different sections of this country, and determine them with justice. You can observe that spirit in our political conventions; you can observe it in all politics of the day. You are a homogeneous people, and your judgment will naturally be supposed to be righteous Mr. President

and gentlemen of the Convention, I thank you again for the honor you have conferred on me in inviting me to address you. Any assistance that I can give you, or suggestions that I can make in your deliberations I shall gladly furnish. I must say on this occasion that while I feel and recognize the fact that I am a foreigner among you, especially at this particular time when there is considerable political activity going on in our country, I want to be considered as such so far as your political questions proper are concerned among individuals; still there are questions which I think we can all discuss together with profit—questions which affect our general welfare and future as citizens of the Northwest and Dakota. I wish, gentlemen, through you, to return my thanks to the people of North Dakota for the extreme courtesy that has been shown to me through the very difficult task which I have assumed of closing up the territorial department of our government. It has been to me a very embarrassing task, and I can only say that the people of North Dakota have more than surprised me in the generosity and charity which they have shown to me in my efforts. They perhaps did not expect very many favors from me, and I perhaps did not expect to grant them very many of a personal character, but the very fact of their kindness and magnanimity has caused me to reach as far in their direction as possible, and what I have done in this way has been an exceeding pleasure in every way. Our relations will soon cease, but the past history of our territory cannot be forgotten by those who have participated in it. Our interests will lean common in the future as two states, pointing in the same direction both in a national and local sense. There should be no clashing. I shall expect our delegations in Congress in both the upper and the lower houses, to harmonize on the general questions of the day which will arise. I thank you again, gentlemen, for your courtesy.

#### A BOUNDARY DISCREPANCY.

Mr. PURCELL. It has been rumored that there is some discrepancy in the location of the line dividing North and South Dakota. It is liable to give rise to a good deal of trouble to those counties bordering on the line. I understand that this matter has been called to the attention of the Convention in South Dakota. I therefore move the following:

*Resolved*, That the delegates appointed by this Convention to form a part of the Joint Commission to settle and adjust the indebtedness and divide the property, be also empowered to settle and adjust the boundary line between North and South Dakota, and that the line so fixed by the Commission be the dividing line between said States until changed by the Legislatures thereof.

Mr. CAMP. Mr. PRESIDENT: This is a very important matter, and before passing upon it, would it not be well for the Convention to consider whether we shall not be exceeding our powers in doing so? The Omnibus Bill provides that the southern boundary of North Dakota shall be the Seventh Standard Parallel. That parallel must be fixed by the general government. I don't know how we or the Joint Commission can fix that parallel.

Mr. PURCELL. It is true that the Omnibus Bill provides that the Seventh Standard Parallel shall be the dividing line, but that parallel is in dispute. The people adjoining the line in Richland county, Sargent and Dickey claim that it is located at a certain point, and the counties south claim that it is located a mile and a half further north. I do not state that this committee has the power to do this, but for the purpose of saving litigation and of agreeing where the line shall be, I have offered this resolution so that this Commission appointed from North Dakota may agree with the Commission from South Dakota where the line shall be declared to be temporarily. If we were to set out to determine now just where the Seventh Standard Parallel is it might take more of our time than it would take to make a Constitution. If some agreement can be arrived at it will save a good deal of litigation to these counties.

Mr. STEVENS. I am satisfied from reading the Organic and the Enabling Acts that we would be exceeding our authority to pass this resolution, but in order that we may be thoroughly satisfied on this point I believe it would be best to defer action on this resolution till to-morrow when we would be better prepared to vote one way or the other on it. I move that action on the resolution now pending be deferred till to-morrow's session.

By agreement the resolution was made a special order for to-morrow's session.

An address was then delivered by the Rev. R. C. Wiley of Indiana, as follows:

#### CIVIL AND RELIGIOUS RIGHTS.

The Rev. R. C. Wiley of Indiana, of the National Reform Association, was invited to address the Convention. He said:

MR. PRESIDENT AND GENTLEMEN OF THE CONVENTION: I heartily thank you for the favor you have granted me in allowing me to address you on what we deem a very important subject. I would not venture to appear before you and address you were it not for the importance of the principles and the aims of the association that I represent—an association composed of learned men, judges, lawyers and statesmen from all parts of the American Union. The association discusses the prevailing questions of political science without being partisan. It aims to maintain the christian features of our political life without the union of church and state. Allow me, then, briefly to mention the principles of a fundamental character which we believe should be engrafted in the constitution of a state as a basis for legislation. We hold first of all that there are certain principles with which we have to do in public life. It will not do for us to say about any question that comes up, that because it is a moral



one, therefore we will have nothing to do with it in politics. There are some questions that are moral on the one side and political on the other. Our association aims for example to maintain what we may call a civil Sabbath, and we hold that there should be a basis for legislation on that question, and we therefore propose that in the bill of rights there be something like this—"The right of all the people to one day in seven, free from any labor, for the purpose of rest and worship shall forever be maintained in the laws of this commonwealth." It may be said by some that the Sabbath question is a purely religious one. But I observe that last Saturday you adjourned till Monday. You did not say how your members should spend the Sabbath, but you said in substance that it would not be proper for them to meet in convention. You gave every one an opportunity to attend public worship without conflicting with their rights as members of this convention. I suppose you will continue in that line throughout your sessions. Every legislative assembly and every department of government will come face to face in this practicable manner with the Sabbath question, and I presume will settle it for itself in the same way, substantially. But in addition to this all the people have a right to one day in seven. As civil government is retained for the purpose of protecting us in our rights, here is a right which it ought to protect us in just as well as in the enjoyment of other rights. It is as much a right as our right to our property, but there are two millions of our American citizens who labor every Sabbath day. They practically have no Sabbath. The most of them would not work were it not that there is a sort of a compulsion. They know that they would have to give up their positions if they were to refuse to labor on the Sabbath. Now in behalf of our laboring classes—on behalf of these two millions of citizens, and North Dakota's quota of those two millions—we want to see something done that will protect them in their rights to a day of rest. We hold that any state can make a law that will require none to perform an irreligious act. We maintain that there should be some law that will secure them in their right to a day of rest. There should be a provision made for it in the fundamental law of the commonwealth.

It is proposed, again, that there be some such action as this taken in the legislative department. The Legislature should also regulate marriage and divorce by laws not inconsistent with Christian morality. It would be impossible for us to over-estimate the importance of the family relation in the civil government. Where the family relation is pure, there you will find a strong people. Where it is impure you will find a people that will rapidly decay. The glory of our Anglo-Saxon race has consisted largely in this—whatever its other vices might be it has guarded safely the martial relation. But we find today that we are on the down grade. Even the American Congress has been impelled to appoint a committee to investigate the divorce question, and the report has been recently submitted, and we find this statement made—that during the last twenty years divorce has increased in this country 156 per cent., while our population has increased only 60 per cent. Divorce has multiplied nearly three times as fast as our population has increased. When we look at certain typical states and cities in our Union, we find that in some states there is one divorce for every twelve marriages—in another, one for every ten, and in Chicago one for

every nine. In Denver there is one divorce for every four marriages. When we look at our statute laws we shall not be at a loss to know the reason why. In Massachusetts we will find five or six causes for divorce, and in some other States ten or twelve. Sometimes the statutes in the different states, after enumerating some three or four reasons will go on and say: "Divorce may be granted for these or any other reason that may be deemed sufficient by the court."

We hold that there should be a tightening up in regard to this matter. Here is where the very foundation of our national life is contaminated. Citizens going from such families are not the ones to make citizens to carry on the government of a free country like this. We hold that there should be some provision made so that the Legislature, when it comes to enact laws on this subject will regard the moral sentiment of the people of this great State. Then again the Legislature will have to deal with the school question, and this Convention will be required to deal with the school question. While there should be no sectarian instruction in the public schools—while the Enabling Act states that—there should be some provision like this—that the Legislature shall establish and maintain a system of public schools in which instruction shall be given to all the children between the age of six and sixteen or eighteen, in the common branches of knowledge, and in the principles of virtue and Christian morality, but no sectarian instruction shall be given, and the public funds shall never be appropriated to any sectarian purpose. In Cincinnati the Bible was put out of the schools because there was no provision made in the Constitution that the court would deem sufficient to retain the Bible in the schools. I have been informed that they have attempted to substitute something for the Bible—Shakespeare, etc., but they found the experiment an utter failure. Every day moral questions will come up in the school room—in the definition of words—in the teaching of history. Let there be some provision made that will serve as a basis for Legislation on questions like this. We desire that there shall be in the preamble a recognition of Almighty God as the source of authority; of the Lord Jesus Christ as the rightful ruler of nations, and of His will as the supreme authority on all those moral issues that arise in the political sphere. I presume that you will recognize Almighty God in the preamble. Nearly every state in the Union does that, and I think you will belong to the majority side in doing that. It is important to observe that without the idea of God there can be no government. Even Voltaire said that if there were no God it would be necessary to invent one. There can be no civil government without the idea of a divine government enlightening it. The anarchists of this and every other country are mostly atheists. You will never find a believer in a divine government who is an anarchist.

Should there be any recognition of the Lord Jesus Christ in the Constitution? The first constitution of Rhode Island recognized Him as the rightful king of nations. Through our late civil war the Congress of the United States passed resolutions in the darkest days of that war calling on the President to appoint a fast day for the confession of national sin and to seek forgiveness. Lincoln did so, recognizing the fact, too, in that proclamation, not only that God but that the Son of God, is the ruler of nations. Then in our legislative halls we have chaplains appointed who offer prayer in the name of Christ, because it is through Him that national blessings come as well as individual

blessings. And now, just one word further in favor of the points I have presented. We are certainly, historically a Christian nation. We are known as one of the great nations of the earth. Our civilization is christian—our customs are Christian. We have annual thanksgiving days appointed by the President and the state Governors. We have prayers offered in Congress and all Legislative Assemblies, chaplains in our army and navy, reform schools and penal institutions, and all these grow out of our christian ideas. Certainly we are a Christian people. Our civilization is not heathen Mohammedan or Atheistic. It is christian or it is nothing. This being the case, why should not there be an expression of the fact in the fundamental law of this commonwealth? In one sense the Constitution of North Dakota is already made. There is an unwritten Constitution of North Dakota in the minds of the people, and you are the officers, representing the people, charged with the duty of putting the Constitution into form. When it goes to the people to vote on they will say yes or no to the question as to whether or not you have correctly interpreted their ideas on this matter of government. And, inasmuch as our civilization is Christian, this part of the unwritten Constitution is all ready. Suppose it should be said that this would not be fair to those who are not in harmony with the idea of Christianity. But my friends, those who are not regarded as being altogether orthodox from the standpoint of the Christian church, certainly realize the fact that our civilization is Christian—our customs and usages are Christian, and if the fact does them no harm, the expression of the fact would not do them any harm either. Now see what our great statesmen have said in regard to this. Daniel Webster declares that our ancestors founded their government on morality and religious sentiment. They were brought here by their high veneration of the Christian religion; they journeyed in its light and labored in its home; they sought to incorporate it with the elements of their society and to diffuse its influences through all their institutions, civil, political, social and educational. It has even been declared by very high authorities that Christianity is a part of the common law of our land, and we cite especially the decision of the Supreme Court of Pennsylvania, in a certain very important case, in which the whole court agreed that Christianity, general Christianity, has always been a part of the common law of Pennsylvania

We presume that the people of this territory have the same ancestors, the same historic past as the people of other commonwealths, and we presume that its common law embraces the same Christian principles and moral ideas. We have one moral standard—that recognized by Christianity, and we maintain that there should be something that will bind us to regulate our conduct in compliance with this high moral standard. For these reasons, and a great many others that I will not take time to enumerate, the National Reform Association desires to see incorporated in every constitution, the recognition of divine authority, of divine law, because when we make constitutions we have no authority except what comes to us from God. We say that power inheres in the people. They do not create it; it is a gift bestowed on them by the sovereign ruler. While we recognize the authority of the people, let us recognize the divine source from which that authority comes, and the Divine Ruler with whom we have to do, and the supreme law that is over us. You dare not violate the Enabling Act, but there is another enabling act which comes to us

from the throne of God, Himself. I thank you for your kindness and your patience.

Mr. WILLIAMS. I move the Convention adjourn.

The motion prevailed, and the Convention adjourned.

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## NINTH DAY.

BISMARCK, *Friday, July 12, 1889.*

The Convention met pursuant to adjournment, the PRESIDENT in the Chair.

Prayer was offered by the Rev. Mr. KLINE.

### THE BOUNDARY QUESTION.

The resolution of Mr. PURCELL which was made the special order for the day was then read as follows, slightly amended:

*Resolved,* That the delegates appointed by this Convention to form a part of the Joint Commission to settle and adjust the indebtedness and divide the property, be also empowered to temporarily settle and fix what shall be the seventh standard parallel, until such time as the true line shall be ascertained.

Mr. LAUDER. I would ask for information whether or not a Commission has not been appointed by the South Dakota Constitutional Convention to confer with us on this matter of the boundary of the two states? I am of the opinion that a committee for that purpose has been appointed. If this is so, it seems to me that the Convention should appoint a committee to meet them, and this matter should not be referred to the Commission for the division of property.

Mr. PRESIDENT. The Chair has no information of any such committee. The Secretary says he understands that the matter has been referred to the Commission of seven.

Mr. LAUDER. I have no definite information on the subject, but I thought I saw that there was a separate and distinct committee.

Mr. ROLFE. Is it a fact that in the mind of the general government there is no dispute in regard to where this Seventh Standard Parallel runs? Is it not a fact that in the land department the United States Government knows where this line runs? If