

NINTH DAY.

Sioux Falls, S. Dak., July 12, 1889.

Two o'clock P. M.

The Convention re-assembled pursuant to adjournment.

President Edgerton in the Chair.

Prayer by the Chaplain:

We thank Thee, oh God, our Heavenly Father, in that Thou hast been with us and hast kept us. We ask Thee, that in this session Thou wilt give us Thy spirit that our acts may be pure and our purposes of Thine own prompting, and that the result of this session may be that which shall bring happiness to future generations and joy and glad tidings. We ask it in Jesus' name.

AMEN.

Reading of the Journal.

At this point the President completed the regular call of business and asked—what is the further pleasure of the Convention.

Mr. Sherwood: I do not know whether this is the proper place to present a motion for the re-consideration of the matter that transpired in yesterdays proceedings or not. A matter came up that, upon examination, was different from what I supposed it read; it was in relation to the memorial passed yesterday. I desire to say I am in favor of the memorial. I observe in the last clause thereof something I had not before seen, desire to read and then if it is proper to reconsider it and offer an amendment by inserting three words. In the last paragraph of the memorial, beginning "Therefore your memorialists respectfully" in the fifth line thereof I desire to move the re-consideration of the memorial to insert into it after the word "stayed" the words "upon school sections". I think the momorial covers the ground those who voted for it intended it should cover, and more too, in this, that it is within the scope of it to suspend action, upon all lands; I think the intention was the suspension of action upon the issuance of patents upon

school sections. With a view of moving that amendment, I move you, Sir, that we re-consider the vote by which we adopted the memorial yesterday.

(Motion seconded.)

Mr. Humphrey: I would say in my judgment, that that is an error in the copying of the memorial in the Committee Room. Or else at the printing office; it is my judgment it was the intention of the Committee that those words be there; I understood it to be read that way when it was read. In reading it today upon our tables I find it to be the other way; I am strongly in favor of putting those words in.

Mr. Corson: It seems to me that that appears in the memorial, taking the first part of it; it specifically states "that several of the most valuable sections of lands reserved for the use of the State for school purposes.

Mr. Davies: It is incumbent upon the President to order that change to be made as it was stated that that was the intention of the Committee; it appears to be a clerical error; I would judge it would be competent to have the minutes corrected the same in that respect as in other respects; it was the intention and others so understood it; it was a clerical error and I judge it would be competent for the Chairman to order the Clerk to make that correction without any objection.

Mr. Hole: That was one point of our discussion yesterday, that is the point I made and the reason that I opposed it; I think that if it is corrected that it ought to be by vote because I thought they did not understand it yesterday.

Mr. Wood: I was going to offer an amendment to the motion that this motion be to reconsider for all purposes; it is confined to one particular section; I move to amend, that if it be reconsidered that it be for all purposes. I think that is the rule, by the way.

Mr. Sherwood: My object in voting in favor of the motion might be not to reconsider the whole but only for this one section; I do not know whether it is competent for those who voted against a question to vote to reconsider it entirely.

The President: Will the gentleman from Pennington call my attention to the rule? I take it under our rule anyone can make this motion whether he voted for or against.

Mr. Jolley: The gentleman from Pennington has forgotten

the rule; a person voting in the majority can vote to re-consider on that day or on the next two days; the parliamentary rule is very clear; in Legislative Assembly it would place it upon the third reading.

The President: My own impression was, that when reconsidered, it would then have been upon its final passage and subject to all amendments that would be proper at such a stage of proceeding; I had understood that a different opinion prevailed. I wanted my attention called to the rule otherwise my opinion was that as soon as reconsidered it was before the Convention the same as it was upon its original passage.

Mr. Humphrey: The intention of the committee I believe to be fully manifest; the omission would be a clerical one in the Committee Room. If it is not competent to have it inserted here without the consent of the House, believing the memorial fully states the ground, I move the motion to reconsider it lay upon the table.

Which motion upon a division of the House was adopted by a vote of thirty-five ayes, to twenty-seven naves.

Mr. McCusick: I ask the Convention to excuse me from further attendance upon the Convention, owing to public duties which I have at home.

The President: The gentleman from Roberts will be excused if the Chair hears no objection. The Chair hears none.

Mr. Williams: asked and was granted leave of absence until Monday.

Mr. Huntley: I would like to call the attention of the Convention, to the expenses of the Convention; the Committee on Expenditures asks that the members hand to some member of the Committee the distance travelled by them in coming to the Convention, and at as early a date as possible that the Committee may discharge its duties and be prepared for its final work.

Mr. Eddy was upon his own request excused until Tuesday morning.

On motion of Mr. Sherwood the Convention stood adjourned until Saturday afternoon, July 13.

