

TUESDAY, July 23, 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 being present except Messrs. Budge, Peterson, Powers, Pollock and Rolfe, who were excused.

The Journal of the preceding session was read and corrected by striking out the word "passed," and in lieu thereof insert the words "was indefinitely postponed" in the first line on page 2, July 22.

PETITIONS AND COMMUNICATIONS.

Mr. McHugh presented the following petition:

To the Honorable P. McHugh, B. R. Glick, John McBride and Joseph Powles, Members of the Constitutional Convention, N. D., from Cavalier county.

The petition of the subscribers, citizens and voters of Cavalier county, N. D., respectfully shows that your petitioners are in favor of having provisions made in the Constitution about to be framed prohibiting the manufacture and sale of intoxicating liquor within the state of North Dakota; and we, your petitioners, would respectfully ask that you use all honorable means to have such provisions incorporated into the Constitution about to be framed.

We would further ask that, if you are unable to have this prohibition article incorporated into the Constitution, that you use your best efforts to have an amendment to the Constitution prohibiting the manufacture and sale of intoxicating liquor, to be submitted to a vote of the people at the fall election for their adoption or rejection.

JOHN MAHON, *et al.*

BLUE MOUNTAIN LAKE, N. Y., July 22, 1889.

*The President of the Constitutional Convention:*

The American Sabbath Union, whose office is at 23 Park Row, earnestly recommend that a provision should be inserted in your New Constitution protecting and encouraging Sabbath observance. Perhaps the following form would be acceptable to the Convention: "No work or trade shall be carried on, on the first day of the week usually called Sunday, except such as may be strictly charitable or necessary and the Legislature shall pass laws regulating and encouraging the observance of the Holy Sabbath by all the people." If the matter has not already been favorably acted upon by the Convention, will you not kindly take the necessary steps to have this or a similar proposition adopted by the Convention and thus lay the Constitution for the new state upon the sure foundation of the divine, word and reap the gratitude of your own people and those of the whole country. ELLIOT F. SHEPARD,  
President of the American Sabbath Union.

Mr. Camp offered the following resolution and moved its adoption:

*Resolved*, That the stenographer be and he is hereby instructed not to take down the proceedings of the Committee of the Whole; and that no proceedings had in Committee of the Whole be printed.

The President ruled the same out of order.

#### REPORTS OF STANDING COMMITTEES.

MR. PRESIDENT:

Your Committee on Apportionment to whom File No. 20 was referred have had the same under consideration and report the same back with the recommendation that the five first sections be referred to the Committee on Legislative Department.

ANDREW SLOTTEN,  
Chairman.

Mr. McHugh moved that the report be adopted.  
Which motion prevailed.

Mr. Williams by unanimous consent introduced the following as a substitute for Section 6, Page 48, of File No. 106:

SEC. 6. The president of the convention shall immediately after the adjournment thereof cause this Constitution to be deposited in the office of the governor of the territory, and if after the submission of the same to a vote of the people as herein provided, it shall appear that it has been adopted by a vote of the people of the state, then the governor shall forward a certified copy of the same, together with an abstract of the votes polled for and against the Constitution, to the president of the United States.

And moved that the consideration of File No. 106 be postponed until July 24.

Which motion prevailed.

#### REPORT OF COUNTY AND TOWNSHIP ORGANIZATION.

The president called Mr. Purcell to the chair.

Mr. Moer moved that File No. 25 be taken up for consideration.  
Which motion prevailed.

Mr. Miller moved that the consideration of the report of the committee on county and township organization be postponed until Thursday, July 25.

Which motion was lost.

#### SECOND READING OF ARTICLES.

File No. 107 was read the second time and referred to the Committee on School and Public Lands.

File No. 108 was read the second time and referred to the Committee on Apportionment.

File No. 109 was read the second time and referred to the Committee on Miscellaneous.

File No. 110 was read the second time and referred to the Committee on Schedule.

File No. 111 was read the second time and referred to the Committee on Revenue and Taxation.

File No. 112 was read the second time and referred to the Committee on Legislative Department.

File No. 113 was read the second time and referred to the Committee on Legislative Department.

File No. 114 was read the second time and referred to the Committee on Legislative Department.

File No. 115 was read the second time and referred to the Committee on Revenue and Taxation.

File No. 116 was read the second time and referred to the Committee on Legislative Department.

File No. 117 was read the second time and referred to the Committee on Revenue and Taxation.

File No. 118 was read the second time and referred to the Committee on Legislative Department.

File No. 119 was read the second time and referred to the Committee on Executive Department.

File No. 120 was read the second time and referred to the Committee of the Whole.

Mr. Parsons, of Morton, moved that the Convention do now resolve itself into a Committee of the Whole to consider File No. 25.

Which motion prevailed, and

Mr. O'Brien was called to the chair.

Messrs. Stevens and Turner were excused.

Mr. Williams moved that the resolution referring to printing debates be referred to the Committee on Reporting and Publication.

Which motion prevailed.

Mr. Camp moved that the vote by which the resolution offered by Mr. Selby on July 18 passed be reconsidered.

Yeas and nays demanded.

The roll being called there were ayes 49, nays 17, viz:

Those who voted in the affirmative were:

Messrs—

Allin,  
Almen,  
Appleton,  
Bartlett, of Dickey,  
Bartlett, of Griggs,  
Bean,  
Bell,  
Bennett,  
Best,  
Blewett,  
Brown,  
Camp,  
Carland,  
Carothers,  
Chaffee,  
Clark,  
Colton,

Messrs—

Douglas,  
Fay,  
Flemington,  
Glick,  
Gray,  
Haugen,  
Hegge,  
Holmes,  
Johnson,  
Leach,  
Linwell,  
Lohnes,  
Marrinan,  
Mathews,  
Meacham,  
McBride,

Messrs—

McHugh,  
McKenzie,  
Noble,  
Nomland,  
O'Brien,  
Parsons, of Rolette,  
Paulson,  
Powles,  
Purcell,  
Ray,  
Richardson,  
Robertson,  
Shuman,  
Spalding,  
Wallace,  
Mr. President,

Those who voted in the negative were:

Messrs—  
Clapp,  
Elliott,  
Gayton,  
Griggs,  
Harris,  
Lauder,

Messrs—  
Lowell,  
Miller,  
Moer,  
Rowe,  
Sandager,  
Scott,

Messrs—  
Selby,  
Slotten,  
Stevens,  
Wellwood,  
Williams,

Absent and not voting:

Messrs—  
Budge,  
Hoyt,  
Parsons, of Morton,

Messrs—  
Peterson,  
Powers,  
Pollock,

Messrs—  
Rolfe,  
Turner,  
Whipple,

So the motion to reconsider prevailed.

Mr. Camp moved to amend the resolution of Mr. Selby by inserting after the word "Convention" where it first occurs, the words "but not the proceedings or debates of the committee of the whole hereafter had "

Yeas and nays demanded.

The roll being called there were ayes 47, nays 19, viz:

Those who voted in the affirmative were:

Messrs—  
Allin,  
Almen,  
Appleton,  
Bartlett, of Dickey,  
Bartlett, of Griggs,  
Bell,  
Bennett,  
Best,  
Blewett,  
Brown,  
Camp,  
Carland,  
Carothers,  
Chaffee,  
Clark,  
Colton,

Messrs—  
Douglas,  
Fay,  
Flemington,  
Gayton,  
Glick,  
Gray,  
Haugen,  
Hegge,  
Holmes,  
Leach,  
Linwell,  
Lohnes,  
Marrinan,  
Mathews,  
Meacham,  
McBride,

Messrs—  
McHugh,  
McKenzie,  
Noble,  
Nomland,  
O'Brien,  
Parsons, of Rolette,  
Paulson,  
Powles,  
Puroell,  
Ray,  
Richardson,  
Robertson,  
Shuman,  
Spalding,  
Mr. President.

Those who voted in the negative were:

Messrs—  
Bean,  
Clapp,  
Elliott,  
Harris,  
Johnson,  
Lauder,  
Lowell,

Messrs—  
Miller,  
Moer,  
Rowe,  
Sandager,  
Scott,  
Selby,

Messrs—  
Slotten,  
Stevens,  
Turner,  
Wallace,  
Wellwood,  
Williams.

Absent and not voting:

Messrs—  
Budge,  
Griggs,  
Hoyt,

Messrs—  
Parsons, of Morton,  
Peterson,  
Powers,

Messrs—  
Pollock,  
Rolfe,  
Whipple,

Mr. Lohnes moved to adjourn.

Which motion prevailed and the Convention adjourned.

J. G. HAMILTON,  
Chief Clerk.