

MONDAY, August 5, 1889.

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

Prayer was offered by the Chaplain.

The roll was called, all members absent were excused.

Mr. McHugh moved that the further proceedings under the regular order of business be dispensed with.

Which motion prevailed.

The President introduced U. S. Senator Stewart, Chairman of the Senate Committee on Irrigation and Arid Lands, who addressed the Convention; also U. S. Senator Regan, who addressed the Convention; also Major Powell, Director of the Geological Survey, who addressed the Convention.

Mr. Mathews moved to adjourn.

Which motion prevailed.

#### EVENING SESSION.

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

Mr. Bartlett of Griggs moved that the Convention resolve itself into Committee of the Whole for the purpose of considering the minority and majority reports of the Committee on Corporations Other than Municipal, and also the report of the Committee on County and Township Organization.

Which motion prevailed, and

The President called Mr. Selby to the chair.

When the Committee rose the following report was presented:

**MR. PRESIDENT:**

Your Committee of the Whole have had under consideration Files No. 134 and No. 135, being the majority and minority reports of the Committee on Corporations Other Than Municipal, and recommend that sections thirteen (13), fourteen (14) and eleven (11) of File No. 134 be adopted.

Also, recommend that the following be substituted for section fifteen (15) of File No. 134:

"The term 'corporation,' as used in this article, shall not be understood as embracing municipalities or political divisions of the state, unless otherwise

expressly stated, but it shall be held and construed to include all associations and joint stock companies having any of the powers or privileges of corporations not possessed by individuals or partnerships."

Also, recommend that sections sixteen (16) and seventeen (17) of File No. 134 be adopted.

Your Committee have also had under consideration File No. 140, being the report of the Committee on Public Debt and Public Works, and recommend that Section one (1) be adopted.

Also recommend that further consideration of the File be postponed until August 6. The Committee reports progress and asks leave to sit again.

J. F. SELBY,  
Chairman.

Mr. Johnson moved that the report of the Committee of the Whole be adopted and referred to the Committee on Revision and Adjustment.

Which motion prevailed.

Mr. Bartlett of Griggs, moved that when the Convention adjourn it be until 9:30 a. m. to-morrow morning.

Which motion was lost.

The Committee on Miscellaneous Subjects presented the following report, which was read the first time:

**MR. PRESIDENT:**

Your Committee on Miscellaneous Subjects have had under consideration Files Nos. 36, 59, 71, 72, 86 and 109, and report as follows:

We recommend that File No. 36 be amended by striking out the words "General Assembly," where they may appear, and inserting in lieu thereof the words "Legislative Assembly," and that as so amended it be adopted as an article of the Constitution.

We also recommend that File No. 59 be adopted.

We also recommend that File No. 71 be not adopted, as it is covered by File No. 86.

We also recommend that File No. 72 be not adopted.

We also recommend that in File No. 86 sections 2, 3 and 4 be stricken out, and when so amended it be adopted.

We also recommend that File No. 109 be not adopted.

We also recommend that File No. 36 be adopted as follows:

**SECTION 1.** Any amendment or amendments to this Constitution may be proposed in either house of the Legislative Assembly; and if the same shall be agreed to by a majority of the members elected to each of the two houses, such proposed amendment shall be entered on the Journal of each house, with the yeas and nays taken thereon, and referred to the Legislature to be chosen at the next general election, and shall be published, as provided by law, for three months previous to the time of making such choice, and if in the Legislative Assembly so next chosen as aforesaid such proposed amendment or amendments shall be agreed to by a majority of all the members elected to each house, then it shall be the duty of the Legislative Assembly to submit such proposed amendment or amendments to the people in such manner and at such time as the Legislative Assembly shall provide; and if the people shall approve and ratify such amendment or amendments by a majority of the electors qualified to vote for members of the Legislative Assembly voting thereon, such amendment or amendments shall become a part of the Constitution of this state.

**SEC. 2.** If two or more amendments shall be submitted at the same time, they shall be submitted in such manner that the electors shall vote for or against each of such amendments separately,

Also, recommend the adoption of File No. 59 as follows:

SECTION 1. The name of the State shall be called and known as the State of "North Dakota."

SEC. 2. The State of North Dakota shall consist of all the territory, included within the following boundaries, to-wit: Commencing at a point in the main channel of the Red River of the North, where the forty-ninth degree of north latitude crosses the same, from thence south up the main channel of the same and along the boundary line of the State of Minnesota to a point where the seventh standard parallel intersects the same; thence west along said seventh standard parallel to a point where it intersects the twenty-seventh meridian of longitude west from Washington; thence north on said meridian to a point where it intersects the forty-ninth degree of north latitude; thence east along said line to place of beginning.

Also, recommend the adoption of File No. 86 as follows.

SECTION 1. The rights of the debtor to enjoy the comforts and necessities of life shall be recognized by wholesome laws, exempting from forced sale a homestead, the value of which shall be limited and defined by law, to all heads of families, and a reasonable amount of personal property; the kind and value shall be fixed by law.

Also the following proposed articles:

THE GREAT SEAL OF THE STATE OF NORTH DAKOTA.

The following described Seal is hereby declared to be and is hereby constituted the Great Seal of the State of North Dakota, to-wit:

A tree in the open field, the trunk of which is surrounded by three bundles of wheat; on the right a plow, anvil and sledge; on the left a bow crossed with three arrows, and an Indian on horseback pursuing a buffalo towards the setting sun; the foliage of the tree arched by a half circle of forty-two stars, surrounded by the motto, "Liberty and Union, one and Inseparable, Now and Forever"; the words, "Great Seal," at the top; the words, "State of North Dakota," at the bottom; "October 1st" on the right and "1889" on the left. The Seal to be two and one-half inches in diameter.

The state of North Dakota hereby accepts the several grants of land granted by the United States to the State of North Dakota by an act of Congress entitled, "An act to provide for the division of Dakota into two states, and to enable the people of North Dakota, South Dakota, Montana and Washington to form constitutions and state governments, and to be admitted into the union on an equal footing with the original states; and to make donations of public lands to such States," under the conditions and limitations therein mentioned, reserving the right, however, to apply to Congress for modifications of said conditions and limitations in case of necessity.

W. E. PURCELL,  
Chairman.

Mr. Selby moved to adjourn.

Which motion prevailed, and the Convention adjourned.

J. G. HAMILTON,  
Chief Clerk.