

## FIFTH DAY.

BISMARCK, *Monday, July 8, 1889.*

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

Prayer was offered by the Rev. Mr. KLINE.

Mr. WILLIAMS. I move that we proceed to the perfection of the permanent organization by the election of officers.

Seconded by Mr. STEVENS, and carried.

The officers were then elected as follows:

Chief Clerk—J. G. HAMILTON.

Sergeant-at-Arms—FRED FALLEY.

Enrolling and Engrossing Clerk—C. C. BOWSFIELD.

Messenger—E. W. KNIGHT.

Door Keeper—GEORGE WENTZ.

Watchman—J. S. WEISER.

Stenographer—R. M. TUTTLE.

Chaplain—GEORGE KLINE.

Pages—ARTHUR LINN, HARRY G. WARD, CHARLES W. CONROY and CHARLES LAUDER.

Mr. SELBY. I wish to introduce the following resolution.

WHEREAS, The organization of the Constitutional Convention duly assembled for the purpose of framing a Constitution for the proposed State of North Dakota is now perfected, therefore

*Resolved*, That we, the delegates of said Convention, for and on behalf of the people of said proposed State of North Dakota do hereby declare that we hereby adopt the Constitution of the United States.

Seconded and adopted.

## JOINT COMMISSION.

Mr. SPALDING. In view of the fact that South Dakota has provided for a Joint Commission of seven on their part to meet with a like committee from North Dakota, which committee I understand is now on the way here, I move that when the committee is appointed as provided for in the Enabling Act to meet with

the South Dakota committee, it consist of seven members, and that they be instructed to employ such clerical assistance as is necessary.

Seconded and carried.

Mr. CARLAND. Do I understand that the resolution just passed fixed the number of the committee?

Mr. PRESIDENT. Yes, sir.

Mr. CARLAND. Then I offer the following resolution:

*Resolved*, That the President of this Convention appoint seven members to act as members of the Joint Commission to be appointed by the Constitutional Conventions of North and South Dakota for the purpose of making an equitable division of the property belonging to the Territory of Dakota, and to agree on the debts and liabilities of the said territory which shall be assumed and paid by the said States of North and South Dakota.

Seconded by Mr. BUDGE and carried.

Mr. MILLER called to the Chair.

Mr. WILLIAMS. I move that we proceed to consider the report of the Committee on Rules.

Seconded and carried.

The Convention then resolved itself into a Committee of the Whole for the purpose of considering the motion.

Mr. SCOTT called to the Chair.

Mr. FANCHER. I would like that some gentleman of the committee explain to the Convention why it should be required that not less than ten must rise before the previous question can be put.

Mr. CARLAND. I don't know that there is any particular reason why the number ten should be inserted in the rule. It was thought that that would be a sufficient number of delegates without whom the previous question should not be called, so that the business of the Convention should not be interrupted continually by persons calling the previous question. The committee thought that fixing the number at ten would about answer the purpose of this body.

The rules were adopted.

Mr. MILLER. May I ask the Chair about how long the President will take to make up the committees?

Mr. FANCHER. The President desires to take as much time as may be necessary to make good committees, and while I hope to be able to announce the committees within a couple of days, it may take a little longer.

Mr. MILLER. I move that when this Convention adjourn this afternoon it adjourns till next Thursday afternoon. I do this for the reason that I think there is nothing to be accomplished during the interval when the committees are being made up. Of course we might introduce proposed clauses into the Constitution, but they would have to be laid on the table because there would be no committees to refer them to. I move that when this Convention adjourns it adjourns to next Thursday at 2 p. m.

Seconded and carried.

On invitation HENRY B. BLACKWELL of Boston, then addressed the Convention as follows:

GENTLEMEN OF THE CONVENTION: I thank you very much for your invitation to address you on a matter of the greatest importance to the people of this new State. I should not venture to do so if I did not come credited as the Secretary of the Woman Suffrage Association of the United States, and besides that I bring with me letters from distinguished statesmen whom you all respect, written for the purpose of presenting the matter to this Convention. I have with me letters introducing me to your consideration from Senator Davis of Minnesota, and United States Senator Hoar of Massachusetts. I bring with me letters which I will lay before you in printed form when you re-assemble, from the Governor of Wyoming, and the United States Delegate of Wyoming. You are all aware that Wyoming has had full Woman Suffrage for twenty years, and these gentlemen, Governor Warren who has been reappointed Governor, and has grown up with the Territory, and is not a man imported from the east for political purposes, but a man who is identified with the Territory—and Judge Cary, who was the Representative in Congress for a number of years—certify that Woman Suffrage, full Woman Suffrage, existing for twenty years in the Territory of Wyoming, has commended itself to the favor of both parties. When the Territory of Wyoming presents its Constitution to Congress, the Convention for framing that Constitution being called for next September, it will present a Woman Suffrage Constitution and ask to be admitted as a Woman Suffrage State. I have with me letters that I will lay before you, letters from the Governor of Kansas, from the Attorney General of Kansas, and from the three Supreme Court Judges of the State, certifying to the good results of three years of Woman Suffrage in Kansas—to its approval by men of both parties, and to their belief that public sentiment has ripened for the extension of full suffrage to women as a result of three years experience of partial suffrage. I will place before you a letter expressing the earnest wish of Governor Ames of Massachusetts, based on the voting of women in the municipal elections, that the suffrage will be extended there. I have also a letter from United States Senator Hoar expressing his earnest hope that if public opinion is ripe these four Territories will insert a provision in their Constitutions, each and all guaranteeing impartial suffrage without regard to sex, or that if public sentiment is not thus ripe, that at least they will provide that the Legislature may hereafter at its discretion extend the suffrage to all citizens without regard to sex, so that the

female citizens of North Dakota may not be deprived in your new Constitution of the right which they have possessed hitherto to appeal to the Legislature for their right to equal political representation with men. I have also a letter from the son of the great anti-slavery leader of the United States—the man who originated and led to victory that great movement which emancipated millions of slaves—William Lloyd Garrison—expressing the earnest hope that these new territories would give woman the right to vote.

I am not here to advocate a movement which is either new or strange. We have been urging this movement for fifty years. As a result of this agitation, fifteen states to-day have extended school suffrage to women on terms more or less restricted. Your own territory has given women a school suffrage. As a result of our agitation we have obtained full municipal suffrage in Kansas, and municipal suffrage in Kansas means in all towns containing over two hundred inhabitants. So you see there has already been a movement in the shape of actual legislation. Not only so, but you know that in the Territory of Utah and Washington, women have had full suffrage. In Utah a large majority of the women were Mormons, and believed in polygamy as a religious rite. For the purpose of crippling polygamy a bill was introduced in Congress repealing or prohibiting woman suffrage in that territory. It was an exceptional case of woman suffrage extinguished by Congress in that territory. But it was prohibited not because the women had failed to give satisfaction as voters to the community in which they lived, but because they voted in the direction that Congress regarded as being a pernicious religious doctrine. Governor Ames in his letter refers to the recent municipal election in Boston where twenty thousand women went up, paid their poll tax to qualify themselves, and then voted in the worst storm of last winter. A large proportion of the men stayed away from the polls, but 95 per cent. of the 20,000 women that registered went to the polls and voted, and received the utmost respect in every polling place in the city. Then when we cross the border we find women, unmarried women and widows, in the Canadian provinces—unmarried women and widows alone who have been enfranchised in school matters and in all municipal matters, in the Territories of New Brunswick, Ontario and Manitoba, and one other of the British territories. In England women have had municipal suffrage since 1869, and we have the testimony of the leaders of both political parties that it has been a great public benefit. Mr. Gladstone says women have exercised the franchise with great advantage. Mr. Disraeli was the hearty supporter of woman suffrage, and Lord Salisbury testifies that he hopes the day will soon come when the full parliamentary suffrage will extend to the women of Great Britain. It is not a mere theory that I am here to advocate. Here are four great territories extending from the Missouri river to the Pacific ocean, about to come in as states. Then there are two other territories preparing. It is going to be a great revolution in the political and social affairs of the country, and it seems to the friends of universal suffrage that it is a crisis in which it is desirable that you should give your most careful consideration to this question—whether it is possible for you to make a Constitution in accordance with the principles of the Declaration of Independence without giving women a vote. We argue that it is right under the Declaration of Independence for women to be voters. “We hold these truths to be self-evident, that all men are created equal; that they are endowed by their

Creator with certain inalienable rights; that among these are life, liberty and the pursuit of happiness; that to secure these rights governments are instituted by men, deriving their just powers from the consent of the governed." Is there anyone here who will doubt that a woman has the same right to life, liberty and the pursuit of happiness as a man? But, said our fathers, to secure those rights, the rights of women equally with men, governments are instituted, which derive their just rights from the governed. One-half of the governed citizens are women, and it seems to me that the principles of the Declaration of Independence are not fully complied with so long as women are excluded from political representation.

But it may be said that women have not been represented under this declaration. I grant it. There have been other exceptions too. Look with me at the history of suffrage in this country. In the beginning of political society, which is a state of barbarism, we find no such thing as voting. The strongest man or the wisest woman, as has often happened, is recognized as the sole source of political power, and the whole community obey the laws and regulations made by the sovereign power, the one man power. But it was found very early in history that human nature is not to be trusted with unlimited power, and so the despot, instead of becoming the protector, tends to become the oppressor of the people. Very soon in the history of civilization, in order to guard against that, a class of educated men come forward and are given some political powers as a counterpoise to the one man power, or the second stage has been to supplant the absolute monarch of one by an aristocracy of birth. Any form of government is better than none, for order is heaven's first law, and despotism is better than barbarism. Under the aristocracy of birth the movement of society goes on, and gradually the political circle widens, and the aristocracy of birth gives place to the aristocracy of wealth. That is to say, a political society where a great many rich men do all the work and the rest of the men have nothing to do, but obey. The foremost nations of the world had only got along as far as the aristocracy of wealth. England and Holland were aristocracies of wealth—rich men's governments, and you know that we are the creatures of habit and because we have not seen a thing we think it is not practicable. But when our fathers took up arms it was because they found they were oppressed by the British parliament. In the beginning the great monarchies claimed to own this country, and they divided it out among their own retainers, and they intended to build up here an aristocracy of wealth and birth just as they had at home. But fortunately for the world, this country was so destined that its rich nobility could not make it profitable to hold it, and it rapidly passed into the hands of men who cultivated it, and for the first time in American history the soil came into the possession of the farmers, and when these farmers, accustomed to self government independent, knowing their own land and homes, when they found the British Government hostile to the interests of this country, they set up a standard of revolution and demanded independence, and put forth this Declaration of Independence as the principle upon which their government should be founded. I have already stated that principle. Those who obey the laws should have a voice in their enactment. Those who pay taxes should have a voice in stating what the amount of the taxes shall be. But when the war of the revolution ended, and they undertook to organize their State Governments, they did not

carry out the principles of the Declaration of Independence, and they organized their State Governments on the basis of excluding from political power the great body of men through whom their independence had been obtained. A majority of the men who had fought the battles found themselves deprived of political power, but scarcely had the guns of the revolution ceased firing when the old Democratic party demanded suffrage for every white man under the Declaration of Independence. They said that a man may be poor, but honest, and intelligent and virtuous. He has a right, and it is for his interest to have the ballot. The Federal party which had carried the war to a conclusion, said "No; suffrage is for gentlemen, scholars, college graduates. The hard-handed sons of toil have no right to it," and so the battle raged. Old Benjamin Franklin took a hearty interest in property qualification in voting. The fine sense of justice in the minds of the people rallied to the Democratic party, and when the war of slavery broke out, only two states in the Union retained this property qualification—the State of South Carolina and the State of Rhode Island, and within the past year the State of Rhode Island has wiped it out.

Our fathers said that this was a white man's government. Why? Because in every state but one negroes were held as slaves, and it is impossible that a slave should be a voter, for he is property himself; but scarcely had the ballot been put in the hands of every white man, when good men began to work for the emancipation of slaves, and the South, taking alarm at what they conceived to be a blow at the rights of property, set up the standard of rebellion. The Democratic party obtained the control of the government, because it had the sagacity to put the ballot in the hands of the workingmen, but they sided with the south. Then the great Republican party came forward within the recollection of many of the older men of this Convention. They undertook to extend freedom to the negroes. The Republican party fought out the battle of the Union, emancipated the slaves and wrought into the Constitution a provision that hereafter no man shall be deprived of his ballot on account of race or color or previous condition of servitude. So they put the ballot in the hands of 800,000 emancipated slaves. They did it as a necessity, for they were the only class of citizens in the south who were loyal to the flag. First we were a monarchy governed by George; then an aristocracy of wealth under the old Federal party; then an aristocracy of race under the old Democratic party, and in your own recollection we have taken another step, and become an aristocracy of sex, where every man is a man, and every woman a subject. You North Dakota men know by your own hard experience that we have not yet attained to a perfect political condition—that there are wrongs to be remedied and rights to be secured, and I believe you will agree with me that no government can be considered perfectly Republican or Democratic so long as one-half of its citizens are governed without their consent in violation of the principles of the Declaration of Independence. I deem suffrage for women as their right, and I appeal to these new Territories, just going into the sisterhood of States, to have the courage of their convictions and set the example and lead the way in the political progress of this country. I want to say to you, in the words of Johnson, "that in all time and through all human story, the path of justice is the way to glory." If you put into your Constitution suffrage for all citizens of sound mind and mature age, and not convicted

of crime, without regard to sex, a hundred thousand intelligent citizens will come here who will select your State in place of South Dakota—in place of every other State, because they know you respect women. When I say this I say what I think I know, for all over the eastern States we have a large number of male and female citizens who are looking to your action with the most earnest solicitude, and in whose behalf I am addressing you. They are waiting to see which of these new States will have the courage and the wisdom to plant itself on the principle of true democracy, and put the ballot into the hands of all of its educated and intelligent men and women.

But, gentlemen, it is the highest argument in the world, that it is right. Political justice always pays. I remind you that in the great future, as has been well said, you have to watch the movements of these great corporations, not with hostility, but with caution, and I want to remind you that the power of money is a great and terrible danger to American politics. I want to remind you that it is a fact in history that the power of money in elections has been in proportion to the limitation of the suffrage. Two generations ago in England only rich men could vote, and the maxim of Sir Richard Walpole was that every man has his price. Thank God that in this country, with the widely extended suffrage which we owe to the two great parties of the country, it is no longer true that a man can only occupy his seat in our Legislative halls by buying the electors. I don't believe that there is a man in this hall who has used one dollar corruptly, but there will be struggles here as elsewhere where money can be corruptly used, and if you want to guard against that you should extend the franchise to women, for they are the class who are the most secluded from the corrupt influences of the politicians. They are in your homes, not subject to the influences of professional and corrupt agencies, and they will strengthen your power to get the highest expression of the sentiment of the community. You never can get that fully and thoroughly unless you have the votes of women as well as men. Woman Suffrage does not mean to antagonize the sexes—God forbid. It does not mean to make women masculine. Woman Suffrage means the co-operation of the good man and woman for the highest interests of both and of all. It means full representation of the home—the virtuous American home—in politics and in the councils of the nation, and we never can have that and a full and adequate representation of the people's will until you have the united suffrage of men and women. But some want to be sure that it is safe—they want to know if the bad women won't vote? Women and men are made by God unlike in character and in social position for wise and good purposes, and they cannot act and do not act alike in any relation. The woman will represent the woman's view—the view that a woman naturally takes as a wife, of the matter; the man will represent the man's view and the two will together have the full view. Women have a better instinctive view of character. They are better judges of character on the average than men, and the Bible says that when the righteous rule the people rejoice. I have the testimony of the Supreme Court Judges of Kansas that the women have aided the men in selecting the best candidates for office in that State.

I want to prove to you that Woman's Suffrage is not only right but safe, and it is a great political reform. It is a fact known to all political students that every class that votes makes itself felt in the government. For instance, a cer-

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tain district in New York City sent to Congress the honorable John Morrissey. He was a gambler and a prize fighter. He was sent to Congress for that reason. He was the representative of the male roughs who were like himself and who lived in that district. He was there to see to it that Congress made and enforced no law against gambling. Even gamblers make themselves felt in the government. When I was in Cincinnati in business, I used to travel in the Wabash valley—then the frontier of civilization, and I found that horse stealing was a fashionable vice. The horse thieves had united, combined and contrived to elect the judge and sheriff and pack the jury, and when the honest farmer caught a rascal in the act of stealing his horse, nine times out of ten the jailor forgot to lock the door of the jail. Sometimes the thief would be brought before the court, and the judge would charge upon some technicality in favor of the prisoner, and the jury would bring in a verdict of not guilty. There was no justice for the farmers, and they were forced to organize bands of regulators and hang horse thieves in order to put down the fashionable vice of horse stealing. I am not here to advocate the giving of suffrage to gamblers and horse thieves. They have it already, and they vote early and often if they have a chance. I am here to advocate the extension of suffrage to the women of the country. What are the peculiarities in which women differ from men? You have a masculine government, and it possesses all the virtues and qualities that are masculine. You have none of the distinctively feminine qualities in that government. In the first place the women are more peaceable than men; of course there are quarrelsome women and peaceable men. Do you wonder that there are wars between nations—that there is a bitterness of strife between political parties? You have brought into your government only the masculine element. Woman Suffrage means peace, for the women are the peace-loving members of the community. They are more temperate than men. I am not here to discuss high-license or prohibition—I am not here to advocate either. I don't care what your views are on this subject. Every good man is in favor of temperance—every good man desires such a policy as is calculated to diminish intemperance. When you remember that only one woman in fifty drinks, and every other man drinks more or less, you will see that you cannot have good, sensible, honest laws on this matter, unless you bring in the temperate class which comprise the women of the land. I found in Massachusetts a strict prohibitory law. I had not been in Boston a month when I found liquor sold in every street in the city. The Chief of Police was making a fortune—the police were notoriously bribed until the scandal became repugnant, and the people established a license law. That law provided for a great many restrictions; it said that no saloon must keep open on a Sunday; the screens shall not be up; the liquor shall not be sold to minors; and yet every one of these provisions is violated to-day, and the license law is no more fully or faithfully enforced than the old prohibition law was. So in Massachusetts prohibition did not prohibit, and restriction does not restrict. It is to the interest of the authorities to wink at the violation of the law. I am like General Grant in this—I believe that the best way to secure the repeal of a bad law is to enforce it. Put the women behind the temperance laws, no matter what they are. If the law does not work well repeal it or change it until you find what is the best way to handle it. You will never do away with the

terrible vice of intemperance that degrades our homes until the woman has a vote as well as the man.

The highest argument in their favor is that women are law-abiding citizens. I quote the figures from the police records of the United States, north and south, east and west, when I say that you will find on examination that more than nine out of ten of the convictions that are had for the violation of law are the convictions of men, and less than one out of ten are women. These are undisputed facts. If you have Woman Suffrage you will bring into the government that class of voters who are instinctively on the side of good government, and when I have said that I have said the greatest thing that can be said for Woman Suffrage. Women are more peaceable, more temperate, more just, more economical and more law-abiding than men. Talk about the economy of men—see what privation and suffering the women have endured, coming to Dakota with small means, living on these bleak prairies—how they have kept their children and their homes together, and helped to build up this State to be great and prosperous hereafter. Is it possible that the men of Dakota who have had women by their sides during the frontier period of their lives will go back on the women to-day—put them below the negro, by saying that every man shall be the political superior of the noblest and most intelligent women? I won't believe it until I see it. I come here believing fully that you will put in this Constitution this provision—that the people of North Dakota—that citizens of sound mind and mature age, not convicted of crime, without regard to sex, shall be the voters of this commonwealth, and when you have done it you will have differentiated yourselves from South Dakota—perhaps from the other territories that may not do it; and if you do it will bring into your borders the very class of people which you desire and need, to make this wilderness blossom as the rose. It is a great opportunity—it comes only once. You will never go back into a territorial condition; you will become a state forever, and in building up this commonwealth, for the sake of all humanity build it on the principles of the Declaration of Independence, and give the ballot to women. I trust that North Dakota may come into the Union leading Wyoming, so that Wyoming may not be the first Woman Suffrage State, as it is bound to be if you don't anticipate her. Wyoming has lived for twenty years on the glory and prominence she has gained in this matter. She would have died out before this if it had not been for this feature of her government.

I have talked to you too long. I desire that if there are any difficulties or objections which are in your minds, that you will ask me any question that you may wish, and give me a chance to explain. In a great subject like this there is always a great deal that I forget to say, and that I have not time to say. I desire to express a hope that you will not submit this as a separate measure to be voted upon. You will probably submit a prohibition amendment. Now these are two distinct matters, and I don't want them to be submitted together. If you put the word "male" into the Constitution and then submit it to the voters, it is very likely to be voted down. It will not receive that consideration which its importance demands. If you do not want to put full female suffrage in the Constitution, put in as much as Kansas has—put in municipal suffrage for women, and at least put in a provision empowering the Legislature hereafter at its discretion to extend the suffrage without regard to sex. Three years

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.