THE SEATTLE POST-INTELLIGENCER.

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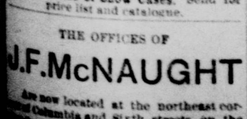

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Have now on sale the most complete lines of COLORED DRESS FABRICS and COMBINATION SUITS. Their BLACK goods are particularly attractive, consisting of "PRIESTLEYS," HENRIETTAS, SERGES, CASHMERES, BYRITZ, ALPACAS, DRAP D'ALMAS, Etc., Etc. Also an elegant line of black and colored DRESS SILKS and SATINS. 708 Fourth St., Between Cherry and Columbia, Seattle.

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Of dollars. Think of that for a real estate deal, and yet it is not an unusual thing for a well lodged investment to pay an almost incredible rate of interest on the sum invested, as instance the histories in that particular of Chicago, St. Louis, Cincinnati, Louisville, Seattle and San Francisco. You may ask us, where can we hope to find again such opportunities as those you recite. Like the fe low whose great melody was "Eureka," we point to

GRAY'S HARBOR

And we say with much confidence, your money will return you many hundreds per cent, and you won't have to wait 60 years for it to do so either. REMEMBER that Gray's Harbor is the only SAFE SEA HARBOR for hundreds of miles of sea coast. This of itself would make it a great city, but beyond all this it has innumerable advantages which we shall be glad to elucidate and illustrate if you will kindly call on

MORTON & CO.

No 7, Colonial Block, Seattle.

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PRICES MODERATE

First-Class Work Guaranteed.

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And are fully prepared to contract for any class of work in our line.

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—AGENTS FOR THE—

WEST SEATTLE

Land and Improvement Co.,

Corner Second and James Street.

We have some of the Choicest Property in all parts of the City which we will be pleased to show Intending Purchasers.

We quote the following description of the scenery as seen from West Seattle from an article in the San Francisco Journal of Commerce:

Our Seattle friends, we trust, will pardon a stranger within their gates offering this gratuitous advice, but we take an exceptional interest in the truly magnificent surroundings of this coming "West End" and must run the risk of being considered "gushing" in our praise by some, and "cheeky" in our unsought advice by others. We must excuse ourselves by saying that we have inspected this coast from Alaska to the Mexican border. We have seen the sun rise on the Alps, and have revelled in the beauties of Lucerne from the summit of Rigi, we have felt the soft influence of the Mediterranean and delighted in the castle-fringed banks of the glorious Rhine. We have sought out and admired the finest scenery of the Old World and the New, but from no one spot have we ever been so impressed with the beauty of the landscape as with that viewed from the table land of West Seattle. It is simply unique. On one side of you the majestic Rainier points his hoary crest into the very heavens. Alone in his grandeur, like a very god, his massive front of 14,444 feet seems to dwarf into pigmies the surrounding mountains that would else be giants. In front of you Mount Baker, another white and glistening monster, though some hundred miles or so away, thrusts himself upon your vision, whilst right and left of you the Cascade and the Olympic ranges form a background of the most exquisite mouldings that the mind of man can conceive, wild and rugged in their outline and ever changeful in their soft and glorious tints. Through this property will pass the Seattle & Southern R. R., which will at once be rapidly pushed to completion with a depot close handy to the ferryslip. On either side will extend wharves and warehouses, factories and stores.

WISELY SUGGESTED.

Mayor Moran makes his point, in his message to the council, in plain and forcible style. The necessities for and the advantages of a fireboat are presented fully and practically and in a way to carry conviction.

Mr. Moran has evidently given this subject close study and his recommendation has its basis in full and sufficient information respecting the practical usefulness of fireboats and the methods of their construction. We hope that the plan suggested will be adopted and that no time will be lost.

JUSTICE FIELD ARRESTED.

He is Afterwards Released on $5,000 Bail.

SAN FRANCISCO, Aug. 16.—The warrant for the arrest of Justice Field, which was issued by a justice of the peace in Stockton, was presented to Judge Rix of the police court, this morning for his signature. Judge Rix asked the opinion of District Attorney Page, by whom he was advised to indorse the warrant. Ex-Judge Londerback appeared for Justice Field and declared that the issuance of the warrant was an attempt to humiliate a justice of the supreme court. Judge Rix finally indorsed the warrant and it was placed in the hands of Sheriff Cunningham, of Stockton.

THE ARREST MADE.

The justice arrived at his chamber about noon, accompanied by Judge Sawyer and Judge Brower. Sheriff Cunningham, Chief of Police Crowley and Captain Lees went to the marshal's office in the same building as soon as Judge Rix had signed the warrant, and from there the party, accompanied by Marshal Franks and several other persons, went to Justice Field's chambers. The latter rose to receive them, and Sheriff Cunningham presented the warrant and formally made the arrest.

WRIT OF HABEAS CORPUS GRANTED.

A writ of habeas corpus was at once sworn out before Judge Sawyer, of the circuit court, and heard by him in chambers shortly before 2 o'clock. The writ was granted, and hearing ordered for next Thursday afternoon, bail was fixed at $5,000.

A STRONG PETITION PRESENTED.

The petition presented for Justice Field's release under the writ of habeas corpus was quite long, and one of the closing statements was as follows: "It is incomprehensible how any man acting in the course of duty could have listened for one moment to charges from such a source," referring to Sam Shiland's testimony. The petition also charged that the purpose of the complaint made by her was to subject him to arrest and confinement at Stockton, where said Sarah Althes may be able, by the aid of partisans to carry out long continued and repeated threats of personal violence.

COURT REFUSED TO ADJOURN.

Application was made by Attorney Crittenden to the supreme court to adjourn to day as a mark of respect to the memory of Judge Terry. Chief Justice Beatty declined to entertain the motion, but remarking that he was sorry that the motion had been urged, the chief justice said: "It is a very unpleasant affair, but the court has fully considered the same and deems the wisest mode of treating the subject is to pass it by in silence. The sudden death of David S. Terry is notorious and it is the decision of this court that it take no further action in the matter."

JUSTICE FIELD NEEDED PROTECTION.

TERRE HAUTE, Ind., Aug. 16.—Senator Voorhees heartily sustains Attorney-General Miller in his action of the early report. He believes that, in view of the fact that Field's life was threatened by as desperate a man as Terry was, it was eminently proper for the attorney-general to see that the protection came to him in the discharge of his duty.

ADJOURNED OUT OF RESPECT TO TERRY.

STOCKTON, Cal., Aug. 16.—Judge Bald this morning adjourned the superior court out of respect to the memory of David S. Terry. He said that those who knew Judge Terry best knew him as a pure judge and an able attorney.

THE FUNERAL SERVICES.

Judge Terry's body was removed from the morgue to St. John's Episcopal church at noon, where it lay in state for two hours and was visited by a great number of people. Mrs. Terry sat in a pew near the casket and gazed intently at the dead all the while. The rector of the church is ill, and an effort was made to get an Episcopal clergyman from Sacramento to officiate, but he was away from home and M. E. Derrance, one of the oldest vestrymen in the church here, was finally selected to hold the service, which commenced about 2 o'clock.

FROM PORTLAND.

Court Notes—Prominent Merchant Dead—Millinery Firm Assigns.

PORTLAND, Aug. 16.—Arthur Waddell and William Cain were held in $500 bail in the United States commissioner's court this morning for obstructing the mails recently. They built a fence inclosing their rye field and threw burning timbers upon the Oregonian railway track and allowed them to remain all night, causing delay of the train next morning.

Samuel Walker and James Dodd, the Bonanza stage robbers, were held for trial in $5,000 bail by Commissioner Deady this morning.

Aaron Meier, senior partner of the firm of Meier & Frank, died suddenly this morning. He was sitting at the breakfast table when suddenly he lifted his hand to his head and died. Apoplexy was the cause. He was 57 years old.

The millinery firm of Simon Feig & Co., which was closed by attachment last week, made an assignment today. The assets are $11,300, liabilities $28,034. All except $1,936.69 is owed in San Francisco.

FROM WALLA WALLA.

Convict Larsen Recaptured—Injured by a Train.

WALLA WALLA, Aug. 16.—Frank Larsen, the convict who escaped from the back yard at the penitentiary, was captured Thursday evening by Warden Edmiston on Hunt's railroad about four miles from the junction. Warden left on the 3 o'clock train, having heard Larsen was seen in the neighborhood of Touchet. While the train was going at full speed he noticed the prisoner behind some sage brush. He pulled the cord, had the train stopped and ran back, when Larsen broke into a run across the prairie. Warden overhauled him after a mile run. He was returned to his cell last night where he will serve his entire sentence.

A man named Nelson, while sitting on the edge of the depot platform at Pendleton, was caught by the steps of a caboose of a passing train and jerked between the platform and trucks. He was bumped about underneath the car until he was terribly bruised about the face and head. He is now in the hospital.

An extensive fire is said to be raging in the wheat fields on Eureka flat. The report came too late to ascertain particulars.

FIRE AT SELMA, CAL.

The Loss is Over $46,000, Insurance $21,500.

SELMA, Cal., Aug. 16.—Early this morning fire destroyed the Cohen building owned by Mrs. D. Cohen, a two-story brick block block, also the Rosenheim building, a one story brick, and the Hawk Furniture Company's building, a two-story brick, also owned by Mrs. Cohen. The principal losses were J. Morris, merchandise, $16,000, insurance $8,000; Mrs. Schlesinger, lodging house, $1,000, fully insured; C. S. Stanton, $3,000, insurance $1,500; J. A. Janowsky, jewelry store, $1,500, fully insured; Mrs. D. Cohen, two buildings, $19,000, insurance, $1,500; the Hawk Furniture Company, $3,500, insurance $5,000.

PAT KILLEN IN TROUBLE.

He Violated the Law and Must Suffer Therefor.

SAN FRANCISCO, Aug. 16.—Pat Killen, the Northwestern pugilist who recently arrived with a combination from the East, his manager, W. E. Gooding, Professor Thomas Anderson and Ed Hogan, manager of a local variety theater, were convicted today of violating the ordinance prohibiting sparring matches where liquor is sold, and will be sentenced tomorrow.

TAFFE, THE FISHERMAN.

Governor Pennoyer Going to Make it Warm for Him.

PORTLAND, Aug. 16.—Governor Pennoyer is going to make it warm for Fish Commissioners Reed and Goodling for authorizing Taffe, the Celilo canner, to catch salmon out of season, to be shipped to the Spokane sufferers. Taffe and the fish commissioners will defend themselves.

DR. BOWERS DISCHARGED.

He Has Been Imprisoned for More Than Three Years.

SAN FRANCISCO, Aug. 16.—Dr. Milton Bowers, who has been under indictment for the murder of his wife in November, 1885, was discharged from custody this afternoon. He has been imprisoned in the county jail for over three years.

Children Cry for Pitcher's Castoria

A TEDIOUS DAY.

Delegates Inclined to Make Windy Speeches.

MORE ABOUT SCHOOL LANDS.

Sections 4 and 5 of the Article Passed—The Walla Walla Subsidy Scheme to be Revised.

OLYMPIA, Aug. 16.—This was the most uncomfortable, tedious and wearisome day that has been spent since the convention began its session. The debate was altogether over questions that have been fully settled, but the members persisted in inflicting copious doses of windy oratory upon their weary fellow-members, or as many of them as were impassive enough to stick to their posts and not seek refuge in the hallways and lobbies, where they were out of earshot of the tiresome rehearsal of dead arguments. Nobody was in a good humor and nobody felt like sitting down to actual business. So the day was barren of actual results. No matter was passed upon that is not likely to be opened up again, and the contention revived in all its tediousness. The article on state, school and granted lands has been prolific of disagreements, and as it is now there is hardly a member of the convention who is entirely satisfied with all its provisions.

FORGINST THE OLD SETTLER.

The morning was spent in a wrangle over a proposition of Crowley to confirm the sales of all school and university lands made by county or university commissioners. This proposition, akin to that which was adopted yesterday disclaiming interest in tide land United States patents, awakened all the former opposition to that measure, and the discussion was replete with references to the "plot" by which that had been engineered through. Colonel Moore declaimed against the action of the convention. E. H. Sullivan issued his little dictum, and J. J. Browne, who had not spoken before, took the opportunity of protesting against it. The Western Washington members did not think it necessary to renew the defense of a measure so manifestly just, and they generally kept quiet. The debate, however, was so causeless, that the advocates of Crowley's measure were disposed to do anything to shut it off, and finally Sharpstein, whose many precious minutes had been wasted, offered to leave the matter to the legislature. This was accepted grumblingly, for those who announced themselves as tortured the old settler were sore, and they would not stop kicking even when they got what they wanted.

TWO SECTIONS PASSED.

Sections 4 and 5 of the land article were passed without material amendment. The former directs the times and terms upon which the granted lands shall be sold. Browne wanted to make the policy of the state a combination of the lease and sale systems, but his views were not accepted. Then he wanted to reduce in section 5 the price at which lands near incorporated cities may be sold to a minimum of $100 per acre. Neither did this meet with favor, and the sections were passed. Then the priority right of purchase question was reopened by the presentation of the majority report. The provision was quite lively for a time on issue, and when it was defeated Weir submitted a substitute containing a similar provision. It was then about 5:30, at which time a wrangle over adjournment invariably arises. About half the convention insists that after that hour only one motion is in order, and that is a motion to adjourn. The committee of the whole spent ten minutes over filibustering motions, and late objection and prosecuting attorneys who may be in office at the time of the adoption of the constitution, shall hold their respective offices until the —— day of January, A. D., 1891, and until their successors are elected and qualified, and the official bonds of all such officers shall continue in full force and effect until the termination of their respective terms of office, the same as if this constitution had not been adopted.

Sec. 15. The first election held at the time of the adoption of this constitution shall be held and conducted in all respects according to the laws of the territory, and the votes cast at said election for all officers, (where no other provisions are made in this constitution) shall be canvassed and returned in the manner provided by territorial law.

Sec. 16. The provisions of this constitution shall be in force from the day on which the president of the United States shall issue his proclamation declaring the state of Washington admitted into the Union. Respectfully submitted.

B. L. SHARPSTEIN, Chairman.
D. BUCHANAN,
GEO. COWGILL,
JOHN M. REED,
MATT. J. MCELROY,
W. B. GRAY.

We concur in the foregoing report, except section 14, and in its stead recommend the following:

Sec. —. All district, county and precinct officers, who may be in office at the time of the adoption of this constitution, shall hold their respective offices until the second Monday of January, A. D. 1891, and until such time as their successors may be elected and qualified in accordance with the provisions of this constitution and the official bonds of all such officers shall continue in full force and effect as though this constitution had not been adopted.

S. A. DICKEY, Secretary,
H. M. LILLIS,
ROBERT JAMISON.

THE DAY'S WORK.

The Article on School Lands Still Pending.

OLYMPIA, Aug. 16.—Another of the tardy woman suffrage petitions, from M. B. L. West, was presented after prayer by Rev. J. R. Chaplin and the reading of the minutes, this morning.

Minor, from the committee on revision, submitted to the convention a section of the report of committee on county, city and township organization, providing for the organization of cities. It was recommended that the section be so changed as to recommend that cities be formed by special laws, instead of general laws.

Griffiths objected to such action, claiming that all these questions had been settled once before, and should not be opened up again.

Minor—How can you define the boundaries of a new city, except by special laws?

Griffiths—There will be no difficulty about that. They do it in Ohio and Illinois, and, I think, Indiana.

Stiles, chairman of the committee, said he considered the case exceptional, and that something should be done by the convention, by unanimous consent or otherwise.

Griffiths renewed his objection, saying courts had incorporated towns under general laws, and that this method could be followed again.

DANGER IN SPECIAL LEGISLATION.

Browne protested against returning to old-fashioned ideas. Such action would open the doors wide for special legislation. One-fourth of every volume of the reports of legislative proceedings would be taken up in the grant of city charters.

P. C. Sullivan called attention to the rule defining the powers of the revision committee, and claimed that it was not in its power to recommend a change, except to correct grammatical errors, rearrange and make the instrument consistent.

THE PRESIDENT PROTESTS.

The Chair—If the gentleman insists upon his point of order I shall rule it well taken. But I wish here to enter my protest against this section, which I believe is invalid, does not give power to incorporate cities.

Sullivan—I insist upon the point of order.

Browne—Why don't some one move to reconsider the article so it can be brought before the convention?

The Chair—It can't be done unless the rules are suspended.

After some further discussion Gowey moved to suspend the rules. The motion was lost and the matter was taken from the consideration of the convention.

THE HERITAGE OF THE STATE.

Dyer moved to go into committee of the whole to consider the land article. Lost, 21 to 25.

Gowey here gave notice that he would tomorrow move to amend the rules so that the committee on revision could suggest any amendments to articles as it sees fit.

The convention changed its mind and went into committee of the whole to consider the public land article.

SALE AT PUBLIC AUCTION.

Section 3 was read.

"Sec. 3. None of the lands granted to the state shall be sold otherwise than at public auction to the highest bidder, after the value thereof shall be appraised by the board of appraisers to be provided by law; the terms of payment also to be prescribed by law; and no sale shall be valid unless the sum bid be equal to the appraised value of said land, excepting that persons occupying shore lands and having thereon valuable permanent improvements in actual use and necessarily for commerce, trade or business (such lands having been so occupied and improved prior to February 22, 1889, and being other than an extension of any street, alley or other public highway), shall have prior right to purchase so much of said shore lands as may be actually necessary for the purposes of such improvements at the valuation fixed by the appraisers above referred to in this section."

TO PAY FOR IMPROVEMENTS.

Bowen moved to strike out the words, "less the improvements," and add to the end of the section the following:

"And the legislature shall provide that an amount be paid to all parties who have made bona fide improvements upon said lands, equal to the increased value on of said lands on account of said improvements."

Comegys opposed the amendment in a brief speech. He said that it was merely reaching down in the pockets of the taxpayers.

A MORE SATISFACTORY PROVISION.

Browne offered the following amendment, which was accepted by Bowen:

"In estimating the value of such lands for disposal the value of the improvements thereon on the 22d day of February, A. D. 1889, shall be excluded and such improvements shall not be deemed the property of the state."

This was carried.

ANOTHER CONFIRMATORY CLAUSE.

Crowley renewed his amendment made yesterday: "Provided, that the sale of all school or university lands heretofore made by the commissioners of any county or the university commissioners, when the price has been paid in good faith, is hereby ratified and confirmed."

Turner objected to this, saying that the convention had taken one step in the dark yesterday in conferring titles, and it shouldn't take another today.

FUNDS FRITTERED AWAY.

Sharpstein said the territory had sold the university lands and invested the proceeds in the University at Seattle, which had been reported by at least one legislative committee as being mismanaged and its funds squandered. But parties who bought their lands and paid their money were in no way responsible for such misappropriation. If the state wanted to get its money back, let it go after the men who appropriated it, one of whom yet lives at Seattle. The land at Seattle is worth at least a quarter of a million of dollars. The people who paid their money honestly, more than twenty years ago under an authority of a territorial statute, should be protected even if the statute was not legally enacted.

HE KNEW IT WOULD BE USELESS.

Moore said he did not suppose it would do any good to speak on this motion, for he did not suppose the convention would strain at a gnat and swallow a camel (referring to the patents that were confirmed). We have not heard both sides of this case. We do not know how much land is affected nor of the patrons; it is not for us to transcend the bounds of our responsibility. Not one old settler or anybody else came before the committee to ask that their patents be confirmed. Yet we went off in a sort of emotional frenzy and did something which I am sure we will regret.

REED MAKES A QUERY.

J. M. Reed asked how this convention could confirm titles to school lands if it had not received the $10 per acre required by the enabling act.

Stiles wanted to know how these titles came to be granted in the first place.

Eldridge responded that they were two townships granted to the territory to build a university.

E. H. Sullivan objected to this sort of proceeding on the part of the convention, because it was forwarding private interests by fundamental act. He said that the men who were getting this thing through would have to answer to the people at the polls.

FOLLOWING A BLIND LEAD.

It was Browne's opinion that the matter should be left to the legislature. The convention was in the dark. How could it determine what the county commissioners had done? It was not its business. It would not be right to do it. There was nothing before the convention to show that so much of the lands of any old settler had been included in the tide lands. No court, too, may would take cognizance of the matter in the manner it was before the convention. He read from the act of congress confirming the sale of the lands, but only such sales were confirmed as were made prior to the passage of the act, which was in 1866. "We are asked to ratify the act of congress, ratify something which is already ratified. It was evident that some illegal claims had been presented to the secretary of the interior; hence the passage of that act. Should we then confirm titles which the secretary of the interior in his wisdom saw fit to reject?"

DON'T GET IN A HURRY.

Warner declared that the confirmation of these lands should be held in abeyance. How would the state overcome the provision that it must receive $10 an acre for the lands?

Referring to the continual reference to the action of yesterday in regard to patents, Hoyt said that was merely a disclaimer on the part of the state to any title to these lands as against the United States. It didn't make any difference how many acres were involved—the principle was the same.

A COMPROMISE EFFECTED.

To obviate further discussion Sharpstein offered the following, which was accepted by Crowley:

"Provided, that the sale of all school and university lands heretofore made by the commissioners of any county or the university commissioners, where the purchase price has been paid in good faith, may be confirmed by the legislature."

After further discussion the substitute was adopted, 27 to 21.

Gowey called up his amendment providing for the publication of notice of sale of granted lands; lost.

LEASE THE SCHOOL LANDS.

Prosser offered the following substitute:

"Sec. —. Sections numbered 16 and 36 in each township in the state of Washington have been received from the government of the United States for the purpose of being applied to the support of common schools of the state of Washington, and the lands within the sections aforesaid shall never be sold, but shall remain the property of the state forever; timber, stone, or perishable property thereon, after due appraisement, may be sold under such terms and conditions as may be prescribed by law. The school lands of the state shall be appraised and leased in such manner and under such terms and conditions as shall be prescribed by the legislature, which shall also provide by law for the protection of the school lands from trespass and unlawful appropriation, and for their defense against all unauthorized claims or efforts to divert them, or the income therefrom, from the school fund of the state."

He started in on the history of the grants of the school lands of the United States. It has been a pitiful story told about the manner of the disposition of these lands by the various legislatures. It has been a sorrowful history of special legislation, in which the purchaser was the beneficiary and not the state. The speaker went on at some length to advocate the retention of the lands by the state.

The committee arose at noon and adjourned.

Afternoon Session.

OLYMPIA, Aug. 16.—Dyer resumed the chair in the afternoon when the convention went into committee of the whole.

Prosser continued his argument in favor of retaining school lands in the control of the state. He quoted from the reports of Illinois, Wisconsin and Michigan, where lands had been sold for the benefit of purchasers rather than for the benefit of the state. These states ought each to have not less than $50,000,000 in the school fund, whereas Michigan only has $3,281,963 and Wisconsin only $1,165,041. The land was sold on the principle of swapping a horse for a mule and then selling the mule back for a shilling. Another result of the loss has been bad investments of funds received, or outright stealing, and still another has been the indifference of the people and the ease with which the legislature has been induced to make changes in the laws and management of school funds, always to the benefit of speculators and never to the benefit of the state. The speaker recited the example of California, where starting the era of robbery and mismanagement have resulted in enormous loss to the school fund, reaching probably $100,000,000, one of the most stupendous robberies in the annals of history. The constitutional convention of 1879 was in session for months quibbling over a trifle, and not putting in a single restriction upon the sale of this great gift of land. Oregon was in a very bad condition, and its school fund had been wasted shamefully.

MISSING A FINE SPEECH.

At this juncture in Prosser's speech more than half the chairs were vacant, and Tibbetts interposed a motion that the committee rise. It was so ordered, and then a call of the house was directed. By the time this was begun the members had come filing back into their places and further proceedings after roll-call were dispensed with.

Warner stated to the convention that the speaker's references were so interesting that every member of the convention should hear them.

The convention again went into committee of the whole and Prosser resumed.

THE SYSTEM IN NEBRASKA.

Prosser read from the Nebraska school report, where the school system is the best in the world. The lease system is in vogue there and the result showed that the system there has been wise and remunerative. A letter was read from the superintendent of public instruction of value of said land, excepting that persons occupying shore lands and having thereon valuable permanent improvements in actual use and necessarily for commerce, trade or business (such lands having been so occupied and improved prior to February 22, 1889, and being other than an extension of any street, alley or other public highway), leased for from $100 to $450 per month, and today in Seattle such lots could be leased with the provision that at least three-story bricks be placed upon them." The speaker concluded with the plea that these lands be not sacrificed in any manner whatever, and that this constitution have a provision that the lands be never sold. "It is thought that under the enabling act all we will have to do will be to sell our 2,400,000 acres of school land which will bring $4,000,000, but it is known that at least 1,000,000 acres of this land can never be sold. Let the proceeds of the sale of the land be devoted to the school fund and the interests of the school children of the state preserved."

KEEP THE LANDS FROM THE MARKET.

More complimented Prosser on his speech, which he denominated as able, exhaustive, cogent and patriotic. He heartily indorsed the views expressed and declared that the highest interest of the state demanded that these lands be kept from the market for at least a considerable term of years. If the leasing system is then demonstrated not a success, the land can be sold, and the state will have gained the rise in the value of the lands. Dunbar declared that this matter had been presented fully before in the discussion on the tide lands, which bore the same relation to the policy of the state. "It has been presumed always that this matter should be handled by the legislature. Let it be deferred till then, and meantime the matter will have been discussed, and the representatives of the people can know better than we do what to do. An ironclad policy ought not to be laid down."

Cosgrove was confident his people wanted the school lands sold.

ONE THIRD ONLY FOR $10.

Griffiths thought Colonel Prosser's arguments, facts and figures convincing to every mind that this was the policy the state ought to pursue in its main features. In the present condition of the territory there is probably no more than one-third of the school lands that will bring more than $10 per acre. By 1895, in accordance with the enabling act, probably another third will be ready, and in ten years the cream of the lands will have been sold.

Bowen opposed the arguments of Prosser and Griffiths. The school fund in Illinois was not all frittered away, nor was that of Michigan. The state there borrowed $1,000,000 from the school fund to build the capitol. Prosser had said the swamp land fund was frittered away. It was directed that these lands be sold for not less than $4 per acre and the fact was that they realized $4.58 per acre.

Cosgrove added that in Ohio a great amount had been obtained from the school fund to build the capitol.

"The same in Wisconsin," joined in Buchanan.

LANDS MAY NOT BE LEASED.

The vote was then taken on Prosser's substitute, and it was lost viva voce.

The section was then passed.

HOW LANDS SHALL BE SOLD.

"Sec. 4. Not more than one-third of the lands granted to the state for educational purposes shall be sold prior to January 1, 1895, and not more than two-thirds prior to January 1, 1900, provided that nothing herein shall be so construed as to prevent the state from selling the timber off of any of said lands in such manner and upon such terms as may be prescribed by law, and provided further that no sale of timber lands shall be valid unless the full value of such lands is paid and secured to the state."

SELL PART, LEASE PART.

Browne offered the following substitute:

"Not more than one-fourth of each section of lands granted to the state for educational purposes shall be sold prior to January 1, 1895, and not more than one-half prior to January 1, 1900, and not more than three-fourths prior to January 1, 1905."

Mr. Browne said the only way to make land valuable is to sell a portion and retain a portion. In this way the retained portion increases in value as a consequence of building on the sold part. This could be done with school land, and by increased population and homes its value would be greatly increased. There is scarcely a doubt about the proposition that the school lands will treble in value in ten years. The speaker favored the joint policy of sale and lease.

NOT RECEIVED WITH FAVOR.

Cosgrove thought this a dangerous proposition.

Dunbar said this was the most impracticable proposition that was yet offered. He favored selling the most valuable land first.

Stiles was satisfied with the report of the committee.

T. M. Reed spoke briefly, and Browne closed the debate.

The vote on the substitute was taken and it was lost 17 to 24.

The section passed.

NEW INCORPORATED TOWNS.

"Sec. 5. Not more than one-quarter of a section of any lands of the state shall be sold to any one person, partnership or corporation, and all lands within the limits of any incorporated city, or within one mile of the boundary of any incorporated city, where the valuation of such land shall be found by appraisement to exceed $200 per acre, shall, before the same be sold, be platted into lots and blocks of not more than three acres in a block, and not more than one block shall be offered for sale at one time."

The first section was taken under consideration by the committee, and after considerable discussion was informally adopted. The second was too tough a knot to be untied in one night, and was passed for the present. The committee started in on the consideration of the third, but adjourned pending discussion.

Gowey called up his amendment which was lost.

Stiles moved to strike out all after the word "person" in the second line.

Browne offered as a substitute that such lands be sold where an appraisement shows the value of the land to be $100 per acre. Browne's substitute was lost.

Stiles withdrew his amendment and moved to strike out "four" and insert "five;" carried.

THIS WAS THE PATENT SECTION.

Section 6 was stricken out, being incorporated in another section.

The minority report, signed by Dickey, Bowen, Eldridge, Kellogg, Joy and Shoudy was next submitted and a motion to adopt was lost, 22 to 25.

WEIR HAS ANOTHER SCHEME.

Weir handed in another section, providing for prior right to purchase to persons who occupied the lands prior to February 22, 1889. The section limited the prior right as to time. Sturdevant offered the following:

"Provided, that such purchaser shall be an old settler;" ruled out of order.

Stiles offered an amendment giving prior right of purchase to owners of lands who have improvements on both. Some debate followed and then filibustering ensued over whether the committee should arise. Half a dozen motions were made that the article be reported without recommendation, with recommendation and that it be printed. The object was to shut off debate. The committee finally arose and then adjourned at 5:30.

NORTH DAKOTA CONVENTION.

A Number of Articles Adopted and Ready for Submission.

BISMARCK, Aug. 16.—The convention has completed consideration of the article on corporations. Any combination between individuals, corporations or associations, having for its object the controlling of the price of any product or article of manufacture, is prohibited, declared unlawful and against public policy, and any and all franchises shall, when the owners violate the article, be void.

The article on education was adopted with a few amendments.

The article on public lands was adopted after amending so that the leasing of lands shall be under the control of the board of university and school lands.

The article on county and township organization was adopted after amending so that it is virtually a copy of the Illinois system. Also a section was added defining the county offices to be filled.

All of this afternoon has been occupied in consideration of the revenue and taxation to be established by the legislature. The gross earning system was defeated. The article as adopted provides that all property shall be taxed alike.

The article providing for future amendment of the constitution was adopted. It provides that after the proposed amendment has received a majority vote of two successive legislative assemblies, it shall be submitted to a vote of the people.

A section providing that all flowing streams and natural waterways shall forever remain the property of the state for irrigation, mining or other purposes was adopted by a unanimous vote.

Parsons made another and this time a successful attempt to incorporate an anti-black list section in the constitution. It prohibits exchange of black lists between railroads or other companies or employers.

At the night session Bismarck was made the capital of North Dakota in the constitution. Other public institutions were located as previously published. When the vote was announced the immense concourse of visitors about the capitol with one impulse, Hats were thrown into the air, ladies waved their fans and handkerchiefs and everybody, save the representatives of the defeated candidates for the capital, rejoiced over the settlement of the vexed question.

MONTANA CONVENTION.

The Work is Finished and An Adjournment Will Soon Be Taken.

HELENA, Aug. 16.—The convention held but a brief session today. Work is finished and an adjournment is expected tomorrow. Three thousand dollars were appropriated out of the state funds to pay expenses. A memorial was sent to congress asking for the donation of 27,000 acres for each of the educational institutions, the amount of the educational institutions of the state, and that can be found for them, if not, then some other land in Montana. Warner moved that the seat of government be located at Helena. Carried, 32 to 27.

OFF THE TRACK.

A Passenger Train in Pennsylvania Derailed.

MANY PASSENGERS INJURED.

Three Persons Killed Outright and Twenty-Five Others Wounded—Miraculous Escapes.

PITTSBURG, Aug. 16.—The south-bound passenger train on the Butler branch of the Western Pennsylvania railroad, which left Butler, Pa., at 2:35 p. m. today, jumped the track at Parver's station, and the entire train, consisting of two passenger coaches and a combination sleeping and baggage car, went over the embankment and was totally wrecked. Three persons were killed outright and twenty-five others injured, a number of whom will die.

The killed and injured are as follows: Killed—W. Powers, of Lawrenceville, Pa.; a child of Mrs. Farrell, of Butler; Mrs. Duff, an old lady, residence unknown. Wounded—Ex-Mayor Lyon, of Pittsburg, injured in the shoulder; Captain Lower, of Pittsburg, head badly cut; D. A. Jones and wife, of Pittsburg, seriously hurt and bruised; J. A. McLaughlin, of Pittsburg, fatally injured; Colonel Rowley, of Pittsburg, slightly injured; Conductor Gray, of Butler, seriously injured internally; Brakeman Karns, of Butler, back broken; Mrs. Graff, of Pittsburg, injured seriously; Sessie Fullwood of Pittsburg, cut in the head; Captain Grace, of Jamestown, N. Y., painful injuries. About fifteen others were more or less injured, whose names are unobtainable at this writing.

The accident was caused by spreading rails on a small bridge. The rails were on stringers which had rotted with time and long service. The engine passed over the bridge safely, but the first car was derailed and plunged down into the abyss some thirty feet below. The rails plowed through the second car, and the escapes were miraculous. One lady had her dress cut from the wrist to the shoulder. Another lost a small piece of her cheek, and a third had her chin cut, and many others in the second car narrowly escaped.

CRUISE OF THE ALBATROSS.

Pacific Coast Fisheries Examined and Banks Located.

WASHINGTON, Aug. 16.—Professor Charles H. Gilbert, who has been for the past seven months chief naturalist on board