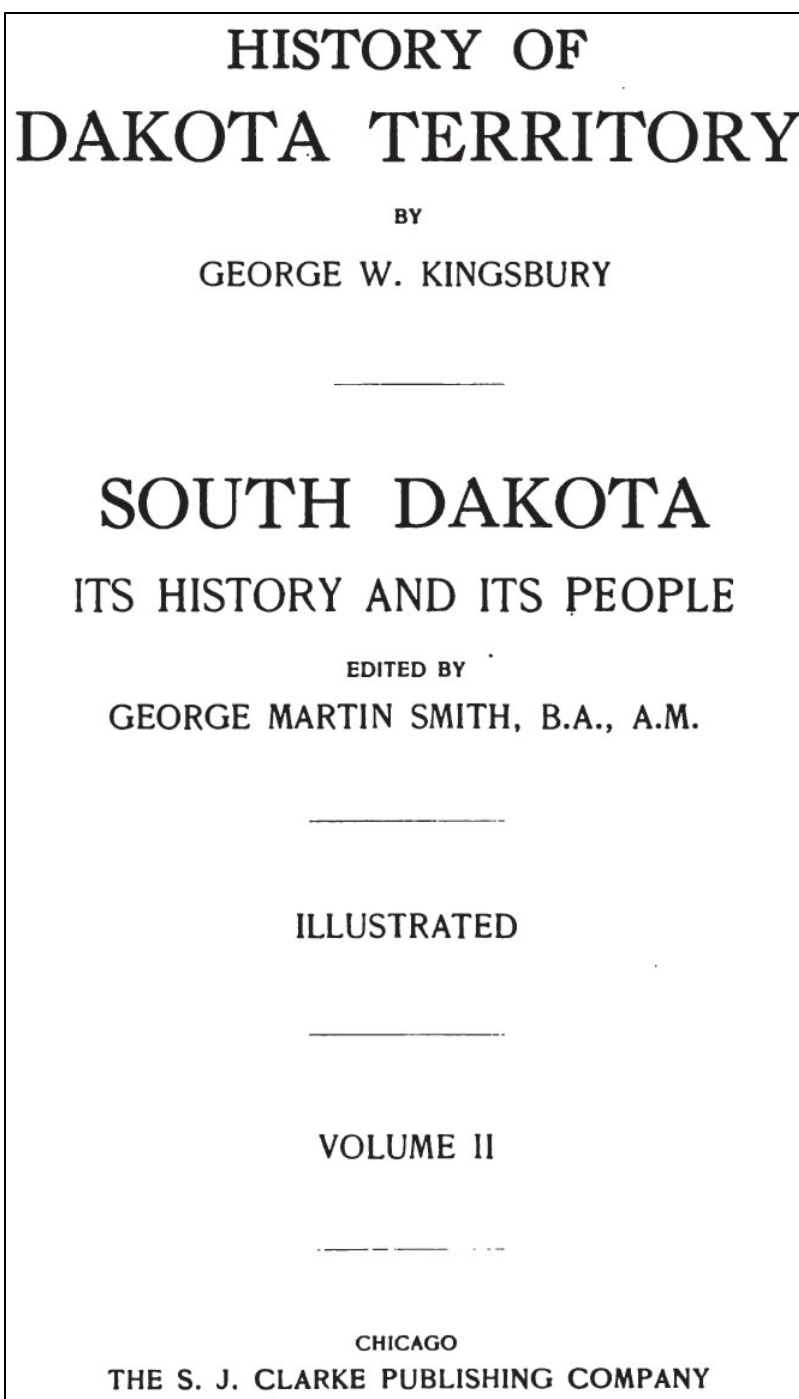


Emanuel B. Korn's at Constitutional Convention

(starting on page 2)

As shown by the attached pages, in 1883 Emanuel B. Korn's participated in a preliminary South Dakota constitutional convention at Huron. E. B. Korn's was the son of Joseph Korn's of Holmes County, Ohio.



THE PRELIMINARY CONVENTION

The Southern Dakota convention convened to consider the calling of a convention for the purpose of framing a constitution for the State of Dakota, assembled at Huron pursuant to call on Tuesday, June 19, 1883, at 12 o'clock M., and was called to order by Rev. Wilmot Whitfield, of Faulk County, chairman of the executive committee of the Citizens' Constitutional Association, appointed in 1882. Mr. Whitfield read the call under which the convention was summoned, and followed the reading with a brief announcement, as follows:

Gentlemen of the Convention: In order to effect a temporary organization, I beg leave to nominate Mr. B. G. Caulfield, of Lawrence County, well known to you all, as the temporary chairman.

The nomination was received with enthusiasm, and Mr. Caulfield was unanimously elected, and being escorted to the platform and to the chair, briefly addressed the convention as follows: (Mr. Caulfield was one of the prominent democrats of the territory.)

Gentlemen of the Convention: I return to you my sincere thanks for the honor you have conferred upon the people who have called upon me to represent them in this convention, by selecting the humble individual who stands before you as your temporary chairman. I most heartily congratulate the people of Southern Dakota upon the manifestations we have before us, which can only result in the attainment of liberty and independence. (Applause.) I congratulate the people of Southern Dakota therefore, that they are passing by the innovations that have been made by old customs, by setting forth to bring into the Union a new and prosperous state. I congratulate them upon returning to the old moorings of the Constitution where our fathers left it, and which present custom has taken away. (Applause.) The old usage was that the states of the Union, whether called upon or not, would admit

within their fold without the necessity of an enabling act, those people who by their acts, their numbers and characteristics, manifested to the country and the world, the authority, right and power, within themselves of self-government. The idea of an enabling act to enable the people who are the government themselves, to do that which they have a right to do, is an innovation upon our form of government. (Long continued applause.) The people of the government require no act of Congress to enable them to perform their rights and to adopt rules and regulations that they may determine for themselves. The Constitution of the United States was made for the states of the Union. The preamble reads that we, the people of the United States, do ordain and establish this Constitution for the United States of America, and no colony, no territorial forms of government, were contemplated at that time, and if not contemplated then, any power which undertakes to control the people while they are the people of the states, which they should be under the Constitution, is an invasion upon their rights. (Applause.) We, therefore, today have assembled here as one people at our own call, to manifest to the people of America and the Congress of the United States our wish to enter into the sisterhood of states, a right which belongs to us by the Constitution of our country. We, the citizens of Dakota, are the citizens of the United States, and as such are entitled to all rights, privileges, immunities, of every other citizen of the United States, and that power which undertakes to deprive us of it commits a wrong. We have assembled here to say to Congress—and we have a right to say it—that we, the people of Southern Dakota, are a state, that we simply need the forms of Congress to admit us into the Union as such. The Constitution says that Congress shall have power to admit new states into the Union, no territories were contemplated in the Constitution. When this country was purchased from France, it was contemplated that whenever 60,000 people gathered together in the old Territory of Louisiana, they should organize themselves into a state. I understand that to be the position we occupy here today. With that understanding let us proceed with the deliberations of this convention and to the end that the proceedings of the convention may meet with the approval of man and God, I request that the Reverend Doctor Hoyt, the pioneer clergyman of Dakota, invoke the Divine blessing.

The Rev. Melancthon Hoyt, dean of the Episcopal Diocese of Dakota, offered prayer as follows:

O God, thou who of old did counsel with thy children, we pray thee to be present with the members of this convention, now gathered together to consult for the best interests of the people of Dakota. Guide and direct them in all their doings with thy most gracious favor, and favor them with the countenance of thy most gracious help * * * that in all their work begun, continued and ended in thee, they may glorify thy holy name, and perpetuate the best interests of the people of this territory. We ask it for the Redeemer's sake. Amen.

The convention then elected Philip Lawrence, of Kingsbury County, temporary secretary, and W. B. McChesny, of Brown County, assistant secretary, following which a brief recess was taken to enable the president of the convention to make up the lists of committees and afford the committees time to make up their reports.

The president then appointed the following Committee on Credentials: Aurora County, F. H. McIntosh; Beadle, Karl Germer; Bon Homme, John Todd; Brookings, H. H. Natwick; Brown, J. H. Drake; Brule, S. W. Duncan; Clark, S. H. Elrod; Clay, J. Kimball; Codington, L. D. F. Poore; Davison, George S. Bidwell; Day, M. Moulton; Grant, A. H. Lewis; Hand, B. F. Payne; Hanson, W. S. Arnold; Hutchinson, S. M. Daboll; Hughes, H. E. Dewey; Kingsbury, Amos Whiting; Lawrence, S. P. Romans; Lincoln, James W. Taylor; Moody, C. D. Pratt; Minnehaha, E. W. Caldwell; McCook, J. E. Rutan; Spink, C. T. Howard; Union, C. F. Mallahan; Yankton, J. R. Gamble; Sully, J. A. Meloon.

Delegate Pickler offered a resolution, which was adopted, giving the credentials committee authority to allow unorganized counties representation such as their population would entitle them to if organized. (There were twenty-five of these unorganized counties.)

At the afternoon session the Committee on Credentials submitted the following report, which was adopted:

Mr. Chairman: Your Committee on Credentials submit the following report, and recommend its adoption:

Aurora, eight votes, divided now into Aurora and Jerauld counties, as follows: Aurora County, five votes, to wit: S. L. Baker, L. S. Cull, F. W. Robey, J. C. Ryan, E. H. McIntosh. Jerauld County, three votes, B. F. Chapman, A. B. Smart, T. F. Tofflemire.

Sully County, three votes, B. P. Hoover, J. A. Meloon, J. M. Moore.

Spink County, fourteen votes, F. C. Warriner, C. H. Seeley, C. N. Keith, M. Moriarty.

F. W. Rogers, J. H. Allen, J. J. Cushing, C. H. Reedan, R. B. Hassel, E. W. Foster, C. D. Trilberg, J. M. Miles, C. T. Howard, E. B. Korn.