

SIXTEENTH DAY

HALL OF CONSTITUTIONAL CONVENTION, }
 CAPITOL BUILDING, }
 Cheyenne, Wyo., Sept. 19, 1889, }

The convention was called to order at nine o'clock a. m.
 Mr. President in the chair.
 Prayer by the chaplain
 Roll call; 49 members present; absent members heretofore
 excused by the convention.
 Journal of the previous session read and approved.

PROPOSITIONS.

The following propositions were read first time and referred:

File No. 81. By Mr. Hoyt.

"Declaration of Rights."

Referred to Committee No. 1.

File No. 82. By Mr. Palmer.

"Police Powers."

Referred to Committee No. 10.

Committee No. 19 reported as follows:

Cheyenne, Sept. 19, 1889.

Committee No. 19 herewith return Files No. 68 and 70, and substitute for File No. 78, as properly engrossed.

H. E. TESCHEMACHER, Chairman.

The president submitted a communication from Mr. Posey S. Wilson relative to the naming of the new state; referred to Committee No. 6.

Committee No. 8 reported as follows:

Cheyenne, September 19, 1889.

Mr. President:

Your committee No. 8 having had under consideration Files No. 35 and 57 report that they have agreed upon a substitute and return the same herewith and recommend that it be incorporated in the constitution.

J. A. JOHNSTON, Chairman.

On motion the substitute submitted by Committee No. 8 was placed on the general file.

The president presented the following communication:

Rawlins, Wyoming, Sept. 16, 1889.

Hon. M. C. Brown, Cheyenne, Wyo.

Dear Sir:—I regret to have to inform you that business matters, over which I have no control, compel me to leave

this morning for the north instead of Cheyenne, as anticipated. I can assure you it has been no trifling matter that has kept me absent from the constitutional convention. Wishing you great success, and again apologizing for my inability to attend, I am,

Yours truly,

J. C. DAVIS.

FINAL READING.

File No. 68 being taken up for final reading Mr. Clark submitted the following amendment to Sec. 5: "Add to said section: "or shall have legally declared within this Territory his intention to become such at least one year prior to the election at which said seeks to cast his vote."

The amendment was lost.

Mr. Clark moved an amendment to Sec. 5. Add to said section: "or shall have legally declared within this territory his intention to become such at least one year prior to the election at which said elector seeks to cast his vote."

The amendment was lost.

Mr. Clark moved to amend by striking out Section 9.

The yeas and nays were called for and sustained by the convention on this amendment, and resulted as follows:

Yeas—Messrs. Baldwin, Baxter, Campbell, Casebeer, Clark, Conaway, Irvine, Jones, Menough, Morgan, Potter, Preston, Riner, Russell, Vagner.—15.

Nays—Messrs. Barrow, Burdick, Burritt, Butler, Chaplin, Coffeen, Elliott, Foote, Fox, Grant, Hay, Harvey, Holden, Hopkins, Hoyt, Jeffrey, Johnston, Morris, McCandlish, Nickerson, Palmer, Reid, Richards, Smith, Teschemacher, Mr. President.—26.

Absent—Messrs. Downey, Ferris, Frank, Knight, McGill, Organ, Scott, Sutherland.—8.

Thereupon the president announced that the convention had refused to strike out section 9.

Mr. Riner moved to amend by striking out section 10.

The yeas and nays on this amendment were called for and sustained by the convention, resulting as follows:

Yeas—Messrs. Elliott, Fox, Menough, Preston, Riner.—5.

Nays: Messrs. Baldwin, Barrow, Baxter, Burdick, Burritt, Butler, Campbell, Casebeer, Chaplin, Clark, Conaway, Foote, Grant, Hay, Harvey, Holden, Hopkins, Hoyt, Irvine, Jeffrey, Johnson, Jones, Morgan, Morris, McCandlish, Nickerson, Palmer, Potter, Reid, Richards, Russeel, Smith, Teschemacher, Vagner, Mr. President, Coffeen—36.

Absent: Messrs. Downey, Ferris, Frank, Knight, McGill, Organ, Scott, Sutherland—8.

The president thereupon announced that the convention had refused to strike out Sec. 10.

Mr. Holden moved to amend Sec. 9 by striking out the last sentence of said section.

The motion prevailed, and File No. 68 was amended by striking out the last sentence of Section 9.

Mr. Smith moved to amend by striking out Section 9 as amended.

The yeas and nays were called for on this amendment and sustained by the convention, resulting as follows:

Yeas: Messrs. Campbell, Casebeer, Clark, Conaway, Foot, Irvine, Jones, Menough, Morgan, Potter, Preston, Riner, Russell, Smith, Vagner—15.

Nays: Messrs. Baldwin, Barrow, Baxter, Burdick, Burritt, Butler, Chaplin, Coffeen, Elliott, Fox, Grant, Hay, Harvey, Holden, Hopkins, Hoyt, Jeffrey, Johnston, Morris, McCandlish, Nickerson, Palmer, Reid, Richards, Teschemacher, Mr. President—26.

Absent: Messrs. Downey, Ferris, Frank, Knight, McGill, Organ, Scott, Sutherland—8.

Thereupon the president announced that the convention had refused to strike out Sec. 9 as amended.

Mr. Campbell moved a reconsideration of the vote by which the last section of Sec. 9 had been stricken out.

The convention by a rising vote decided not to reconsider said vote.

Mr. Potter moved the following amendment to Sec. 12: Add after the word "law" in the seventh line of said section the following: "unless the failure to register is caused by sickness or absence, for which provision shall be made by law."

The amendment prevailed.

File No. 68 as amended was then ordered to a final reading.

The yeas and nays on the adoption of the proposition in File No. 68 as amended resulted as follows:

Yeas: Messrs. Barrow, Baxter, Burdick, Burritt, Butler, Campbell, Chaplin, Coffeen, Elliott, Foot, Fox, Grant, Hay, Harvey, Holden, Hopkins, Hoyt, Irvine, Jeffrey, Johnston, Morgan, Morris, McCandlish, Nickerson, Palmer, Potter, Reid, Sutherland, Teschemacher, Mr. President—30.

Nays: Messrs. Baldwin, Casebeer, Clark, Conaway, Jones, Menough, Preston, Richards, Riner, Russell, Smith, Vagner—12.

Absent: Messrs. Downey, Ferris, Frank, Knight, McGill, Organ, Scott—7.

The president thereupon announced that the convention had adopted the proposition in File No. 68 as amended, as a part of the Constitution of the State of Wyoming.

File No. 70 was then ordered to a final reading, and pending the question, the convention stood in recess until 7:30 o'clock p. m.

EVENING SESSION.

The convention re-assembled at 7:30 o'clock p. m.

Mr. President in the chair.

By general consent Mr. Richards presented File No. 83, "relating to salaries of public officers." Referred to Committee No. 15.

FINAL READING.

File No. 70 having been finally read was adopted by the following vote:

Yeas: Messrs. Baldwin, Barrow, Baxter, Burdick, Burritt, Campbell, Casebeer, Chaplin, Clark, Coffeen, Conaway, Elliott, Foot, Fox, Grant, Hay, Harvey, Holden, Hopkins, Hoyt, Jeffrey, Johnston, Jones, Knight, Menough, Morgan, Morris, Nickerson, Palmer, Reid, Richards, Riner, Russell, Smith, Sutherland, Teschemacher, Vagner, Mr. President—38.

Nays: None.

Absent: Messrs. Butler, Downey, Ferriss, Frank, Irvine, McCandlish, McGill, Organ, Potter, Preston, Scott—11.

The president thereupon announced that the convention had adopted the proposition in File No. 70 to be embodied in the constitution.

By general consent Committee No. 13 submitted the following report:

September 19, 1889.

To the President of the Convention:

We, your Committee No. 13, on corporations, beg leave to report that we have examined Files No. 11, 38, 42 and 72, referred to our committee, and return herewith the same with a general substitute therefor and recommend the adoption of the same, with the statement that F. M. Foot and C. W. Burdick, members of this committee, withhold their approval of Sec. No. 8. and C. N. Potter withholds his approval of Secs. 5, 8 and 12.

Respectfully Submitted,

H. A. COFFEEN,

F. M. FOOTE,

C. W. BURDICK,

JNO. L. RUSSELL,

GEORGE W. BAXTER.

On motion of Mr. Riner the substitute for Files No. 11, 38, 42 and 72, submitted by Committee No. 13, was ordered printed.

The final reading of File No. 78 having been ordered it was adopted by the following vote:

Yeas: Messrs. Baldwin, Barrow, Baxter, Burdick, Burritt, Campbell, Casebeer, Chaplin, Coffeen, Conaway, Elliott, Foote,

Fox, Grant, Hay, Harvey, Holden, Hopkins, Hoyt, Jeffrey, Johnston, Jones, Knight, Menough, Morgan, Morris, Nickerson, Palmer, Reid, Richards, Riner, Russell, Smith, Sutherland, Teschemacher, Vagner, Mr. President.—37.

Nays—none.

Absent—Messrs. Butler, Clark, Downey, Ferris, Frank, Irvine, McCandlish, McGill, Organ, Potter, Preston, Scott.—12.

Thereupon the president announced that the convention had adopted the proposition in File No. 78 to be embodied in the constitution.

On motion of Mr. Teschemacher the convention went into committee of the whole.

Mr. Burritt in the chair.

Upon arising the committee made the following report:

Cheyenne, Sept. 19th, 1889.

Mr. President:

Your committee of the whole to whom was referred the general file, beg leave to report that the same has had due consideration and is returned with the following recommendations:

That the first and second sections of the amendment to file No. 76 adopted in committee of whole, Sept. 18th, be referred to Committee No. 2, and that the remainder of File No. 76 be referred to Committee No. 6.

And your committee reports progress in the consideration of substitute for Files No. 51 and 56, and asks leave to sit again.

C. H. BURRITT, Chairman.

Files No. 70 and 80 were referred to Committee No. 19.

On motion the report of the committee of the whole was adopted.

The convention then adjourned until 9 o'clock a. m., Sept. 20th.

M. C. BROWN, President.

Attest: JOHN K. JEFFREY, Secretary.

SEVENTEENTH DAY

HALL OF THE CONSTITUTIONAL CONVENTION,)
 CAPITOL BUILDING,)
 Cheyenne, Wyo., Sept. 20, 1889.)

The convention was called to order at nine o'clock a. m.
 Mr. President in the chair.

Prayer by the chaplain.