

Amend Sec. 1 in the second line by inserting after "justice of the peace" the words "courts of arbitration."

Amend Sec. 4 by inserting in line 16 before the word "vacancy" the words "unexpired term occasioned by such."

Insert the following as Sec. 6 and renumber the remaining sections accordingly.

"Sec. 6. In case a judge of the supreme court shall be in any way interested in a cause brought before said court the remaining judges of said court shall call one of the district judges to sit with them on the hearing of said cause."

Amend Sec. 12 by inserting in line 2, before the word "appointed," the words "or in case of vacancy."

Amend Sec. 12 by striking out the last sentence and inserting in lieu thereof "and with such duties and compensation as may be prescribed by law."

Amend Sec. 13 by striking out all of line eight and all after the word "duties" in the seventh line, and inserting in lieu thereof the words "and receive such compensation as shall be prescribed by law."

Amend Sec. 16 by striking out in the fourth and fifth lines the words "not be less than twenty-five hundred dollars," and inserting in lieu thereof the words "be as may be prescribed by law."

Amend Sec. 18 by inserting at the beginning of said section the words:

"Until otherwise provided by law."

Amend Sec. 22 by striking out the words "county court" in first line.

That substitute for File No. 50, except the last section be adopted, and the committee of the whole ask for further time in the consideration of the last section of said file.

C. H. BURRITT, Chairman.

The report of the committee of the whole was adopted, and substitute for File No. 50, excepting the last section, was ordered engrossed.

The convention thereupon adjourned until 9 o'clock a. m. Sept. 21st.

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## EIGHTEENTH DAY

HALL OF THE CONSTITUTIONAL CONVENTION, }  
 CAPITOL BUILDING, }  
 Cheyenne, Wyo., Sept. 21, 1889. }

The convention was called to order at 9 o'clock a. m.  
 Mr. President in the chair.  
 Prayer by the chaplain.

Roll call; thirty-nine members present; absent members heretofore excused by the convention.

Journal of previous session read and approved.

#### PROPOSITIONS.

The following propositions were presented and referred:

File No. 85. By Mr. Jones.

“Concerning Labor.”

Ordered printed and referred to Committee No. 10.

File No. 86. By Committee No. 16.

“Public Lands and Donations.”

Ordered printed.

#### REPORTS OF STANDING COMMITTEES.

Committee No. 16 submitted the following report:

CONSTITUTIONAL CONVENTION, WYOMING, }  
Cheyenne, Sept. 20, 1889. }

Mr. President:

Your Committee No. 16 beg leave to report that they have had under consideration File No. 15, which was referred to this committee, and the same is returned without recommendation as the substance is embodied in the report herewith on public lands, which is recommended for adoption in the constitution.

Signed, H. G. NICKERSON,

Chairman,

GEO. W. FOX,

H. F. MENOUGH,

C. P. ORGAN.

On motion File No. 86, submitted by Committee No. 16, “concerning public lands and donations,” was ordered printed.

On motion of Mr. Johnson the convention went into committee of the whole for the consideration of the special order. Substitute for Files No. 35 and 57.

Mr. Irvine in the chair.

On arising the committee made the following report:

Cheyenne, Wyo., Sept. 21, 1889.

Mr. President:

Your committee of the whole, to whom was referred substitute for Files No. 35 and 57, have had the same under consideration, and beg leave to report with the following recommendations:

Amend Sec. 3 of said file by inserting after the word “appropriation” in the first line the words “for beneficial uses.”

Amend Sec. 3 in second line by inserting after the word “when” the words “such denial is.”

Strike out Sec. 6.

And that substitute for Files No. 35 and 57 be adopted as amended.

W. C. IRVINE, Chairman.

The report of the committee of the whole was adopted.

Committee No. 19 reported substitute for Files No. 9 and 36, and substitute for Files No. 51 and 56 properly engrossed.

On motion of Mr. Chaplin, the committee on revision was authorized to raise the several articles of the constitution as they are adopted by this convention.

By unanimous consent Committee No. 6 was permitted to make a report, and said report was received.

Pending the reading of the report of Committee No. 6 the convention stood in recess until 2 o'clock p. m.

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#### AFTERNOON SESSION.

The convention reassembled at 2 o'clock p. m.

Mr. President in the chair.

The report of Committee No. 6, as follows, was read:

Mr. President:

We, your committee on boundaries and apportionment, beg leave to submit the following sections as an apportionment article for the Constitution of the State of Wyoming and recommend its adoption.

File No. 76 is returned herewith.

M. C. BARROW,  
Chairman,  
H. E. TESCHEMACHER,  
J. A. CASEBEER,  
E. J. MORRIS,  
F. M. FOOTE,

Referred to the general file.

By general consent Committee No. 9 made the following report:

Mr. President:

Your Committee No. 9 report the following and recommend its adoption.

J. L. RUSSELL,  
H. G. NICKERSON,  
GEO. W. FOX,  
C. L. VAGNER.

I approve of the above report with the exception of Sec. 5.  
LOUIS J. PALMER.

The proposition referred to in the foregoing report being File No. 87, "concerning coal mines," was then read first time, referred to Committee No. 10 and ordered printed.

Committee No. 2 by general consent submitted the following report:

Cheyenne, Sept. 21, 1889.

Mr. President:

Your Committee No. 2, to whom was referred Secs. 3 and 4 of File No. 76 as amended, beg leave to submit majority and minority reports on said sections.

E. S. N. MORGAN, Chairman.

H. S. ELLIOTT, Secretary.

Referred to the general file.

Committee No. 6 submitted the following minority report:

Cheyenne, Sept. 21st, 1889.

Mr. President:

A minority of your committee No. 6 beg leave to report a substitute for section 4 of the majority report and recommend the adoption of the same as a substitute for said section 4.

Respectfully submitted,

H. A. COFFEEN,

J. M. McCANDLISH.

Referred to general file.

Substitute for Files No. 35 and 57 was ordered engrossed.

By general consent Mr. Baldwin was excused from attendance from day to day until his return.

#### FINAL READING.

A substitute for Files No. 9 and 36 as amended having been finally read, the yeas and nays were ordered on its adoption, resulting as follows:

Yeas—Messrs. Barrow, Baxter, Burdick, Burritt, Campbell, Casebeer, Chaplin, Clark, Coffeen, Conaway, Elliott, Fox, Grant, Harvey, Hopkins, Hoyt, Irvine, Jeffrey, Johnston, Jones, Morgan, Morris, McCandlish, Nickerson, Organ, Palmer, Potter, Preston, Reid, Riner, Russell, Sutherland, Teschemacher, Vagner, Mr. President.—35.

Nays—none.

Absent—Messrs. Baldwin, Butler, Downey, Ferris, Foote, Frank, Hay, Holden, Knight, Menough, McGill, Richards, Scott, Smith.—14.

The president thereupon announced that the convention had adopted substitute for Files No. 9 and 36 to be incorporated in the constitution.

Substitute for Files No. 51 and 56 as amended having been finally read, the yeas and nays were ordered on its adoption, resulting as follows:

Yeas—Messrs. Barrow, Baxter, Burdick, Burritt, Campbell, Casebeer, Chaplin, Clark, Coffeen, Conaway, Elliott, Fox, Grant, Hay, Harvey, Hopkins, Hoyt, Irvine, Jeffrey, Johnston, Jones, Morgan, Morris, McCandlish, Nickerson, Organ, Palmer, Potter,

Preston, Reid, Riner, Russell, Sutherland, Teschemacher, Vagner, Mr. President.—36.

Nays—none.

Absent—Messrs. Baldwin, Butler, Downey, Ferris, Foote, Frank, Holden, Knight, Menough, McGill, Richards, Scott, Smith.—13.

The president thereupon announced that the convention had adopted substitute for Files No. 51 and 56 to be incorporated in the constitution.

On motion of Mr. Riner substitute for File No. 50 was considered the engrossed copy recalled from the committee on engrossment, and taken up for consideration and final reading.

Mr. Potter offered the following amendment to Section 4: Substitute the following:

“Sec. 4. The Supreme Court shall consist of four justices, to be chosen in districts by the electors thereof, and their term of office shall be six years. The number of justices and districts may be increased but shall not exceed five until the population of the state shall amount to one hundred and fifty thousand and the boundaries of districts may be changed, but no change of district shall have the effect to remove a judge from office during the term for which he may have been elected or appointed, or require him to change his residence without his consent.”

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

Yeas: Messrs. Barrow, Casebeer, Chaplin, Coffeen, Elliott, Hay, Irvine, Jeffrey, Jones, Morgan, Moris, McCandlish, Nickerson, Organ, Potter, Reid, Sutherland—17.

Nays: Messrs. Baxter, Burdick, Burritt, Campbell, Clark, Conaway, Fox, Grant, Harvey, Holden, Hopkins, Hoyt, Johnston, Palmer, Preston, Riner, Russell, Smith, Teschemacher, Vagner, Mr. President—21.

Absent: Messrs. Baldwin, Butler, Downey, Ferris, Foot, Frank, Knight, Menough, McGill, Richards, Scott—11.

The president announced that the convention had refused to adopt the amendment.

Substitute for File No. 50 as amended having been finally read, the yeas and nays on its adoption resulted as follows:

Yeas: Messrs. Barrow, Baxter, Burdick, Burritt, Campbell, Casebeer, Chaplin, Clark, Coffeen, Conaway, Elliott, Fox, Grant, Hay, Harvey, Holden, Hopkins, Hoyt, Irvine, Jeffrey, Johnston, Jones, Morgan, Morris, McCandlish, Nickerson, Organ, Palmer, Potter, Preston, Reid, Riner, Russell, Smith, Teschemacher, Vagner, Mr. President—37.

Nays: Mr. Sutherland—1.

Absent: Messrs. Baldwin, Butler, Downey, Ferris, Foot, Frank, Knight, Menough, McGill, Richards, Scott—11.

The president thereupon announced that the convention had adopted substitute for File 50 to be incorporated in the constitution.

Substitute for File 50 was referred to Committee No. 19.

Mr. Teschemacher of Committee No. 19 reported substitute for Files No. 35 and 57 properly engrossed.

Mr. Chaplin of the committee on printing reported that Mr. E. A. Slack had indicated an unwillingness to continue the work of printing for this convention and suggested that the committee be authorized to give the printing hereafter to the next lowest bidder.

On motion the matter was referred to the committee on printing, with full power to act.

The convention ordered the final reading of substitutes for Files No. 35 and 57 as amended.

Mr. Coffeen moved to amend by striking out Sec. 3.

Mr. Elliott moved an amendment to the amendment by adding to Sec. 3 the following: "But priority of appropriation shall not be conclusive in determining the better right."

Mr. Coffeen accepted the amendment.

The convention by a rising vote refused to adopt the amendment.

Mr. Fox moved to strike out Sec. 3.

The convention refused to strike out Sec. 3.

Substitute for Files No. 35 and 57 as amended having been finally read the yeas and nays on its adoption resulted as follows:

Yeas: Messrs. Barrow, Baxter, Burdick, Burritt, Campbell, Casebeer, Chaplin, Clark, Coffeen, Conaway, Elliott, Fox, Grant, Hay, Harvey, Holden, Hopkins, Hoyt, Irvine, Jeffrey, Johnston, Jones, Morgan, Morris, Nickerson, Organ, Palmer, Potter, Preston, Reid, Riner, Russell, Sutherland, Teschemacher, Vagner.  
—35.

Nays—Messrs. Smith and Mr. President.—2.

Absent—Messrs. Baldwin, Butler, Downey, Ferris, Foote, Frank, Knight, Menough, McCandlish, McGill, Richards, Scott.  
—12.

Thereupon the president announced that the convention had adopted substitute for files No. 35 and 57 to be incorporated in the constitution.

Substitute for files No. 35 and 57 was referred to Committee No. 19.

On motion of Mr. Hay the convention resolved itself into a committee of the whole for the consideration of the majority and minority reports of Committees No. 6 and 2 on File No. 76.

Mr. Campbell in the chair.

On arising the committee reported as follows:

Mr. President:

Your committee of the whole to whom were referred the majority and minority reports of Committees No. 6 and 2 relative to File No. 76 beg leave to report that the same have been duly considered and they are returned with the recommendation that the majority report of Committee No. 6 on File No. 76 be adopted.

And your committee reports progress and asks leave to sit again.

A. C. CAMPBELL, Chairman.

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

The convention then adjourned until 9 o'clock a. m. Sept. 23d.

M. C. BROWN, President.

Attest: JOHN K. JEFFREY, Secretary.

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## NINETEENTH DAY.

HALL OF THE CONSTITUTIONAL CONVENTION, }  
 CAPITOL BUILDING, }  
 Cheyenne, Wyo., Sept 23, 1889. }

The convention was called to order at nine o'clock a. m.

Mr. President in the chair.

Prayer by the chaplain.

Roll call; no quorum present.

On motion of Mr. Elliott a call of the house was ordered.

The president ordered the sergeant-at-arms to close the doors and to request the attendance of absent members.

A quorum being present further proceedings under call of the house were on motion of Mr. Elliott, dispensed with.

Journal of previous session read and approved.

### REPORTS OF STANDING COMMITTEES.

Committee No. 1 submitted the following report:

Mr. President:

Your committee No. 1 returns files numbered 1-20-21-44 and 53 not approved. Portions of file 81 have been incorporated in the draft of a Bill of Rights, herewith submitted with the recommendation that it be adopted.

GEO. W. BAXTER,  
 JOHN W. HOYT.

Cheyenne, Wyo., Sept. 23, 1889.