

On motion the printed copies of the files as amended, recommended for adoption by the committee of the whole, were considered the engrossed files.

Mr. Burritt moved the appointment of select committees of ten members to prepare an address to the people of Wyoming and the congress of the United States. Adopted.

The convention thereupon adjourned until 9 o'clock a. m. Sept. 27th.

M. C. BROWN, President.

Attest: JOHN K. JEFFREY, Secretary.

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## TWENTY-THIRD DAY

HALL OF THE CONSTITUTIONAL CONVENTION,  
CAPITOL BUILDING,  
Cheyenne, Wyo., Sept. 27, 1889. }

The convention was called to order at 9 o'clock a. m.

Mr. President in the chair.

Prayer by the chaplain.

Roll call; 29 members present.

Journal of previous session read and approved.

The president announced the following select committee on address to the people: Messrs.

Burritt of Johnson county,  
Coffeen of Sheridan county,  
Harvey of Converse county,  
Hay of Laramie county,  
Preston of Fremont county,  
Grant of Albany county,  
Smith of Carbon county,  
Holden of Uinta county,  
Hopkins of Sweetwater county,  
Organ for Crook county.

The latter to act in the absence of the members from Crook county.

Also the following select committee on address to the congress of the United States. Messrs:

Rjner of Laramie county,  
Clark of Uinta county,  
Hoyt of Albany county,  
Elliott of Johnson county,  
Irvine of Converse county,  
Coffeen of Sheridan county,  
Palmer of Sweetwater county,  
Nickerson of Fremont county,  
Casebeer of Carbon county,  
Morgan for Crook county.

The latter to act in the absence of the members from Crook county.

The president submitted to the convention a communication from R. C. Wylie, of Philadelphia, district secretary of the National Reform Association. Referred to committee No. 1.

Mr. Campbell gave notice of a resolution for the appointment of a committee of ten members to proceed to Washington and urge the admission of Wyoming as a state.

#### FINAL READING.

The convention having ordered final reading of engrossed files, substitute for Files No. 7, 26, 27, 41, 54 and 55 on taxation, revenue and public indebtedness, was taken up, and on motion of Mr. Potter amended in Sec. 7 by inserting after the word "bank" wherever it appears in said section the words "or banks."

On motion of Mr. Fox said file was further amended by inserting in Sec. 12 in the fourth line the words "lots with the buildings thereon used exclusively for religious worship, church parsonages and public cemeteries."

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

Absent members having resumed their seats further proceedings, under call of the house, were on motion of Mr. Palmer dispensed with.

Substitute for Files No. 7, 26, 27, 41, 54 and 55 as amended, having been finally read, the yeas and nays on its adoption resulted as follows:

Yeas—Messrs. Baxter, Burritt, Campbell, Clark, Coffeen, Elliott, Foote, Fox, Grant, Hay, Harvey, Holden, Hopkins, Hoyt, Irvine, Jeffrey, Johnston, Jones, Morgan, McCandlish, Nickerson, Palmer, Potter, Preston, Reid, Riner, Russell, Smith, Sutherland, Mr. President—30.

Nays—Mr. Teschemacher—1.

Absent—Messrs. Baldwin, Barrow, Burdick, Butler, Casebeer, Chaplin, Conaway, Downey, Ferris, Frank, Knight, Menough, Morris, McGill, Organ, Richards, Scott, Vagner—18.

The president announced that the convention had adopted substitute for files Nos. 7, 26, 27, 41, 54, and 55, as amended, as a part of the constitution.

File No. 86, "on Public Lands and Donations," as amended, having been finally read, the yeas and nays on its adoption resulted as follows:

Yeas—Messrs. Baxter, Campbell, Clark, Coffeen, Elliott, Foote, Fox, Grant, Hay, Harvey, Holden, Hopkins, Hoyt, Irvine, Jeffrey, Johnston, Jones, Morgan, McCandlish, Nickerson, Palmer, Potter, Reid, Riner, Russell, Smith, Sutherland, Teschemacher, Mr. President—29.

Nays—none.

Absent—Messrs. Baldwin, Barrow, Burdick, Burritt, Butler, Casebeer, Chaplin, Conaway, Downey, Ferris, Frank,

Knight, Menough, Morris, McGill, Organ, Preston, Richards, Scott, Vagner—20.

The president thereupon announced that the committee had adopted File No. 86, as amended, as a part of the constitution.

File No. 87, "on Mines and Mining," as on final reading, amended, on motion of Mr. Nickerson, by inserting in Section 3, after the word "any" in the second line, the words "coal, iron or other dangerous."

Said file having been finally read as amended, the yeas and nays on its adoption resulted as follows:

Yeas—Messrs. Baxter, Campbell, Chaplin, Clark, Coffeen, Elliott, Foote, Fox, Grant, Hay, Harvey, Holden, Hopkins, Hoyt, Irvine, Jeffrey, Johnston, Jones, Morgan, McCandlish, Nickerson, Palmer, Potter, Preston, Reid, Riner, Russell, Smith, Sutherland, Teschemacher, Mr. President—31.

Nays—none.

Absent—Messrs. Baldwin, Barrow, Burdick, Burritt, Butler, Casebeer, Conaway, Downey, Ferris, Frank, Knight, Menough, Morris, McGill, Organ, Richards, Scott, Vagner—18.

The president announced that the convention had adopted file No. 87, as amended, as a part of the constitution.

Substitute for files Nos. 5, 6, 10, 23, and 64 "on Elections and Qualifications to Office," as amended, having been finally read, the yeas and nays on its adoption resulted as follows:

Yeas—Messrs. Baxter, Campbell, Chaplin, Clark, Coffeen, Elliott, Foote, Fox, Grant, Hay, Harvey, Holden, Hopkins, Irvine, Jeffrey, Johnston, Jones, Morgan, McCandlish, Nickerson, Palmer, Potter, Preston, Reid, Riner, Russell, Smith, Sutherland, Teschemacher, Mr. President—30.

Nays—none.

Absent—Messrs. Baldwin, Barrow, Burdick, Burritt, Butler, Casebeer, Conaway, Downey, Ferris, Frank, Hoyt, Knight, Menough, Morris, McGill, Organ, Richards, Scott, Vagner—19.

The president announced that the convention had adopted substitute for files Nos. 5, 6, 10, 23, and 64, as amended, as a part of the constitution.

File No. 90 "concerning Boards of Arbitration," having been finally read, the yeas and nays on its adoption resulted as follows:

Yeas—Messrs. Baxter, Burritt, Campbell, Casebeer, Chaplin, Clark, Coffeen, Elliott, Foote, Fox, Grant, Hay, Harvey, Holden, Hopkins, Irvine, Jeffrey, Johnston, Jones, Morgan, McCandlish, Nickerson, Palmer, Potter, Preston, Reid, Riner, Russell, Smith, Sutherland, Mr. President—31.

Nays—none.

Absent—Messrs. Baldwin, Barrow, Burdick, Butler, Conaway, Downey, Ferris, Frank, Hoyt, Knight, Menough, Morris, McGill, Organ, Richards, Scott, Teschemacher, Vagner—18.

The president announced that the convention had adopted File No. 90 as a part of the constitution.

Substitute for files Nos. 59, 28 and 8 "on Education and Public Institutions" as amended, having been finally read, the yeas and nays on its adoption resulted as follows:

Yeas—Messrs. Baxter, Burritt, Campbell, Casebeer, Chaplin, Clark, Coffeen, Elliott, Foote, Fox, Grant, Harvey, Holden, Hopkins, Jeffrey, Johnston, Jones, Morgan, McCandlish, Nickerson, Palmer, Potter, Preston, Reid, Riner, Russell, Smith, Sutherland, Teschemacher, Mr. President—30.

Nays—none.

Absent—Messrs. Baldwin, Barrow, Burdick, Butler, Conaway, Downey, Ferris, Frank, Hay, Hoyt, Irvine, Knight, Menough, Morris, McGill, Organ, Richards, Scott, Vagner—19.

The president thereupon announced that the convention had adopted substitute for files Nos. 59, 28 and 8, as amended, as a part of the constitution.

By unanimous consent Mr. Russell presented File No. 91 "concerning Mines and Mining" and said file, after being read twice, was, under suspension of the rules, adopted by the following vote:

Yeas—Messrs. Baxter, Burritt, Campbell, Chaplin, Clark, Coffeen, Elliott, Foote, Fox, Grant, Holden, Hoyt, Jeffrey, Jones, Morgan, McCandlish, Nickerson, Potter, Preston, Reid, Russell, Smith, Sutherland, Teschemacher, Mr. President—25.

Nays—Messrs. Casebeer, Hay, Hopkins, Johnston, Palmer, Riner—6.

Absent—Messrs. Baldwin, Barrow, Burdick, Butler, Conaway, Downey, Ferris, Frank, Harvey, Irvine, Knight, Menough, Morris, McGill, Organ, Richards, Scott, Vagner—18.

The president thereupon announced that the convention had under suspension of the rules adopted File No. 91, as a part of the constitution.

The foregoing files adopted by the convention were referred to Committee No. 19.

Mr. Hay presented the following resolution which was adopted:

Resolved, That the committee (No. 17) on printing are hereby authorized to have published in pamphlet form for distribution the constitution and addresses to congress and to the people, adopted by this convention, and to expend any unexpended balance of funds raised to meet the incidental expenses in payment for as many copies as can be obtained for that amount; and that twenty-five copies be furnished to each member of the convention, the remainder to be delivered to the secretary of the territory for general distribution.

By general consent Mr. Holden submitted File No. 92 "on Exemptions."

Referred to the general file.

On motion the convention stood in recess until 3 o'clock p. m.

## AFTERNOON SESSION.

The convention re-assembled at three o'clock p. m.

Mr. President in the chair.

On motion the convention resolved itself into a committee of the whole for the consideration of the general file.

Mr. Sutherland in the chair.

When the committee arose it submitted the following report, which was adopted:

Mr. President:

Your committee of the whole to whom was referred the general file, beg leave to report progress and ask permission to sit again.

A. L. SUTHERLAND, Chairman.

On motion 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.

On motion the convention went into committee of the whole for the consideration of the general file.

Mr. Burritt in the chair.

On arising the committee made the following report:

Mr. President:

Your committee of the whole to whom was referred the general file beg leave to report with the following recommendations:

In relation to substitute for files Nos. 61, 65 and 80, and the majority and minority reports thereon, we recommend that sections 1 and 2 be adopted; that section 2 be amended by adding the following: "And the officer whose duty it is to collect such fees, shall be held responsible under his bond for neglect to collect the same; Provided, that in addition to the salary of sheriffs, they shall be entitled to receive from the party for whom the services are rendered in civil cases such fees as may be prescribed by law."

That section 3 be amended as follows:

Insert in line eight the words "five hundred" in lieu of "three hundred."

Insert in line seven "one thousand" in lieu of "five hundred."

Insert in line 17 "twelve hundred" in lieu of "seven hundred and fifty."

Insert in line 19 "seven hundred and fifty" in lieu of "five hundred."

Insert in line 22 "two thousand" in lieu of "three thousand."

Insert in line 23 "two thousand" in lieu of "twenty-five hundred."

Insert in line 25 "two thousand" in lieu of "twenty-five hundred."

Insert after line 5:

The county and prosecuting attorney shall not be paid more than \$1,200 per year. After line 18:

The county and prosecuting attorneys shall not be paid more than \$1,500 per year. After line 28:

The county and prosecuting attorney shall not be paid more than \$2,500 per year.

Add to Sec. 3 the following:

The county surveyor in each county shall receive not more than \$8 per day for each day actually engaged in the performance of the duties of his office.

Substitute the following for Sec. 4:

Sec. 4. The legislature shall provide by general law for such deputies as the public necessities may require and shall fix their compensation.

Strike out the minority report.

And that said file thus amended be adopted.

Your committee further recommends that File No. 92 be adopted.

That File No. 89 be amended in Sec. 8 by inserting in line 6 after the word "district" the word "county," and in line 7 after the word "constitution" the words "and such other county and precinct officers as are provided by the territorial laws."

Also that the following sections be added:

Sec. 20. Members of the legislature and all state officers, district and supreme judges, elected at the first election held under this constitution shall hold their respective offices for the full term next ensuing such election, in addition to the period intervening between the date of their qualification and the commencement of such full term.

Sec. 21. If the first session of the legislature under this constitution shall be concluded within twelve months of the time designated for a regular session thereof, then the next regular session following said session shall be omitted.

Sec. 22. The first regular election that would otherwise occur following the first session of the legislature shall be omitted, and all county and precinct officers elected at the first election held under this constitution shall hold their offices for the full term thereof, commencing at the expiration of the term of the county and precinct officers then in office, or the date of their qualification.

Sec. 23. That the convention does hereby declare on behalf of the people of the territory of Wyoming that this constitution has been prepared and submitted to the people of the

territory of Wyoming for their adoption or rejection with no purpose of setting up or organizing a state government until such time as the Congress of the United States shall enact a law for the admission of the territory of Wyoming as a state under its provisions.

And your committee recommends that File No. 89, "on schedules," thus amended be adopted.

CHARLES H. BURRITT, Chairman.

On motion the report of the committee of the whole was adopted and the printed copies of the files as amended recommended for adoption were considered the engrossed copies.

#### FINAL READING.

The convention ordered the final reading of substitute for Files No. 61, 65, 80 and 83 and File No. 92.

Substitute for Files No. 61, 65, 80 and 83, "on salaries of public officers," having been finally read as amended the yeas and nays on its adoption resulted as follows:

Yeas: Messrs. Baxter, Burritt, Campbell, Chaplin, Coffeen, Grant, Hay, Harvey, Hoyt, Irvine, Jeffrey, Johnston, Jones, Morgan, Nickerson, Organ, Potter, Reid, Smith, Sutherland, Mr. President—21.

Nays—Messrs. Clark, Elliott, Foote, Fox, Holden, Knight, Riner, Russell, Teschemacher—9.

Absent: Messrs. Baldwin, Barrow, Burdick, Butler, Casebeer, Conaway, Downey, Ferris, Frank, Hopkins, Menough, Morris, McCandlish, McGill, Palmer, Preston, Richards, Scott, Vagner—19.

The president thereupon announced that the convention had adopted substitute for Files No. 61, 65, 80 and 83 as amended as a part of the constitution.

File No. 92, "relating to homestead exemptions," having been finally read the yeas and nays on its adoption resulted as follows:

Yeas: Messrs. Baxter, Burritt, Campbell, Chaplin, Clark, Coffeen, Elliott, Foote, Fox, Grant, Hay, Harvey, Holden, Hoyt, Irvine, Jeffrey, Johnston, Jones, Knight, Morgan, Nickerson, Organ, Potter, Reid, Riner, Russell, Smith, Sutherland, Teschemacher, Mr. President—30.

Nays: None.

Absent: Messrs. Baldwin, Barrow, Burdick, Butler, Casebeer, Conaway, Downey, Ferris, Frank, Hopkins, Menough, Morris, McCandlish, McGill, Palmer, Preston, Richards, Scott, Vagner—19.

The president thereupon announced that the convention had adopted File No. 92 as a part of the constitution.

The afore mentioned two files finally adopted were referred to Committee No. 19.

On motion the convention adjourned until 9 o'clock a. m. Sept. 28th.

M. C. BROWN, President.

Attest: JOHN K. JEFFREY, Secretary.

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## TWENTY-FOURTH DAY

HALL OF THE CONSTITUTIONAL CONVENTION, }  
 CAPITOL BUILDING, }  
 Cheyenne, Wyo., Sept. 28, 1889. }

The convention was called to order at 9 o'clock a. m.

Mr. President in the chair.

Prayer by the chaplin.

Roll call; 36 members present.

Journal of previous session read and approved.

Mr. Jeffrey was on motion excused from attendance for the day.

The following resolution, offered by Mr. Morgan, was unanimously adopted:

Resolved, That when this convention adjourn it be to reconvene at the call of the president.

Mr. Hoyt moved that the appointment of a committee of five members on retrenchment, whose duty it shall be to review the whole field of the constitution with a view to such reduction of the expenses of the state government as shall seem practicable. Said committee to report at the earliest hour.

The motion was lost.

Mr. Hoyt submitted the following proposition:

"The legislature shall make such provision by law as shall be calculated to secure the best available service for all minor places in the state, county and municipal governments, regardless of considerations purely political."

The foregoing proposition was, under suspension of the rules, placed on its final reading, and the yeas and nays on its adoption resulted as follows:

Yeas: Messrs. Hay, Harvey, Hopkins, Hoyt, Morgan, McCandlish, Nickerson, Organ, Smith, Teschemacher, Mr. President—11.

Nays: Messrs. Baxter, Burritt, Casebeer, Chaplin, Clark, Coffeen, Conaway, Elliott, Foote, Fox, Grant, Holden, Johnston, Jones, Knight, Palmer, Preston, Reid, Riner, Russell, Sutherland—21.

Absent: Messrs. Baldwin, Barrow, Burdick, Butler, Campbell, Downey, Ferris, Frank, Irvine, Jeffrey, Menough, Morris, McGill, Potter, Richards, Scott, Vagner—17.