

DEBATES AND PROCEEDINGS
OF THE
WYOMING CONSTITUTIONAL CONVENTION.

FOURTH DAY.

AFTERNOON SESSION.

Cheyenne, Wyo., Sept. 5, 1889.

Convention reassembled at 2 o'clock.

President Brown in the chair.

Mr. PRESIDENT. Come to order. Gentlemen of the Convention:—I trust you will excuse my tardiness at this time. You all know that I have had considerable to attend to for the last twenty-four hours at least. I have prepared such a list of committees as seemed to me, in the hurry, proper. I may have failed in many ways to meet your expectations, but in the short time I have had, I have done the best I could.

The clerk will please read the list of standing committees.

LISTS OF STANDING COMMITTEES.

No. 1. Preamble and Declaration of Rights—Geo. W. Baxter, S. W. Downey, C. D. Clark, N. Baldwin and Mark Hopkins.

No. 2. Legislative Department—E. S. N. Morgan, W. E. Chaplin, H. S. Elliott, D. A. Preston, R. C. Butler, H. A. Coffeen, De F. Richards, T. H. Moore, M. Hopkins, C. W. Holden.

No. 3. Executive Department—Jesse Knight, John A. Riner, A. L. Sutherland, J. C. Davis, Thomas R. Reid, Charles Vagner, T. H. Moore.

No. 4. Judiciary—A. B. Conaway, C. N. Potter, C. D. Clark, S. W. Downey, A. C. Campbell, D. A. Preston, H. S. Elliott, G. C. Smith, R. H. Scott and F. H. Harvey.

No. 5. Elections, Right of Suffrage and Qualifications to Office—J. K. Jeffrey, John W. Hoyt, H. E. Teschemacher, C. H. Burritt, G. C. Smith, H. A. Coffeen and R. H. Scott.

No. 6. Boundaries and Apportionment—M. C. Barrow, Joseph L. Stotts, J. A. Casebeer, John McGill, John M. Mc-

Candlish, H. E. Teschemacher, E. J. Morris, F. M. Foote, N. Baldwin, H. A. Coffeen.

No. 7. Education, Public Buildings, Public Health and Public Morals—John W. Hoyt, C. N. Potter, A. B. Conaway, E. S. N. Morgan and C. D. Clark.

No. 8. Agriculture, Irrigation and Water Rights—J. A. Johnston, C. W. Burdick, W. C. Irvine, A. L. Sutherland, C. W. Holden, N. Baldwin, C. H. Burritt.

No. 9. Mines and Mining—John L. Russell, C. W. Fox, L. J. Palmer, H. G. Nickerson, C. Vagner.

No. 10. Manufactures, Commerce, Live Stock Interests and Labor—George Ferris, John McGill, T. R. Reed, H. G. Nickerson, C. P. Organ, E. J. Morris, Jonathan Jones.

No. 11. Taxation, Revenue and Public Debts—M. N. Grant, J. C. Davis, DeForrest Richards, H. S. Elliott, H. G. Hay, D. A. Preston, H. E. Menough, Jesse Knight, H. A. Coffeen, Meyer Frank.

No. 12. County, City and Town Organization—C. H. Burritt, Geo. W. Fox, A. C. Campbell, J. A. Riner, Jonathan Jones.

No. 13. Corporations—H. A. Coffeen, C. N. Potter, F. M. Foote, C. W. Burdick, George W. Baxter, S. W. Downey, John L. Russell.

No. 14. Railroads and Telegraph—G. C. Smith, J. A. Riner, M. N. Grant, M. C. Barrow, J. M. McCandlish, H. G. Nickerson, A. B. Conaway, Jesse Knight, H. A. Coffeen, Meyer Frank.

No. 15. Salaries of Public Officers—F. M. Foote, H. G. Hay, H. F. Menough, N. Baldwin, J. M. McCandlish.

No. 16. Federal Relations, Public Lands and Military Affairs—H. G. Nickerson, C. P. Organ, R. C. Butler, H. F. Menough, G. W. Fox.

No. 17. Printing, Publication, Accounts and Expenses—R. H. Scott, W. E. Chaplin, J. A. Casebeer, M. C. Barrow, H. G. Hay.

No. 18. Schedule, Future Amendments and Miscellaneous Matters—L. J. Palmer, J. K. Jeffrey, F. H. Harvey, R. C. Butler, W. C. Irvine, J. L. Stotts, A. L. Sutherland.

No. 19. Revision and Adjustment—H. E. Teschemacher, A. C. Campbell, C. D. Clark, J. A. Casebeer, J. W. Hoyt.

Mr. PRESIDENT. I would like to inquire of the committee that was appointed yesterday to look after printing, whether the rules have been printed or are in the hands of the printer?

Mr. JEFFREY. You ask in regard to the rules. As instructed by the convention, the rules were placed in the hands of the printer and are now being printed. I think we will have them today.

Mr. PRESIDENT. It is quite necessary that the list of the committees should also be printed. Slips, or something, might be printed with the names of the committees, so that the

different members would know just what committees ther are on, and what their duties are. If slips were printed so each could have them it would perhaps be a matter of convenience.

Mr. HAY. If it is not too late, I would suggest that the lists of committees be printed with the rules. I think probably it can be gotten in. I will make a motion to that effect.

Mr. CAMPBELL. I second the motion.

Mr. PRESIDENT. It is moved and seconded that the lists of committees be printed with the rules. Are you ready for the question? All in favor of the question say aye. Those opposed no. The ayes have it; the motion is carried.

Mr. TESCHEMACHER. Are there any pages here? I move that some one of the officers be immediately sent to the printing office with these instructions, as it may save reprinting.

Mr. PRESIDENT. I believe that neither of the pages have appeared.

Mr. REID. I wish to say right here that the page appointed by Laramie county is not here. I have telegraphed to Fort Collins for him and he will be here tomorrow.

Mr. JEFFREY. I wish to state that before the rules are printed Mr. Slack has agreed to send a proof up here, and we can then find out about what time we can have them.

Mr. PRESIDENT. Would it not be well to send this down at once, so that they might begin setting up the type, even before he sends the proof up?

Mr. JEFFREY. The suggestion of the gentleman from Laramie will be caried out, and this list will be sent to the printers as soon as it can be prepared.

Mr. PRESIDENT. If there is no unfinished business, I have a communication from the governor of the territory that I will lay before the convention. Mr. Assistant Secretary, will you read the communication with its accompanying document.

EXECUTIVE DEPARTMENT, }
Cheyenne, Wyo., Sept. 5, 1889. }

Hon. M. C. Brown,
President Constitutional Convention,
Cheyenne, Wyoming.

Sir:—I have the honor to enclose you herewith, for the information of the members of the constitutional convention, copy of a letter recently received with relation to the contemplated visit to Wyoming of the U. S. Senate Committee on arid lands and irrigation.

Very respectfully,
(Signed) FRANCIS E. WARREN,
Governor.

San Francisco, Cal., August 29, 1889.

Hon. F. E. Warren,

Governor of Wyoming Territory.

Dear Sir:—By direction of Senator Wm. M. Stewart, chairman of the U. S. Senate Committee on arid lands and irrigation, I write to say that as at present advised, the said committee of said body will visit Cheyenne, arriving sometime in September, about the 22d to the 26th of that month. As it will be impossible for the committee to go elsewhere than your capital, Senator Stewart desires me to urge upon you the advisability of securing the attendance there of as many representative citizens who understand your irrigation plans and needs, so that their testimony may be secured. You will be advised by telegraph, probably from El Paso, of a more definite date.

Very respectfully,
(Signed) RICHARD J. HINTON,
Irrigation Engineer.

Mr. PRESIDENT. The communication, unless there is some motion to the contrary, will be referred to the committee on miscellaneous matters. I would suggest, if the convention will permit me, that the committee confer with Governor Warren about this expected visit, and what, if anything, can be done by us to aid in giving information to this congressional committee, and to aid the cause of irrigation that they have in hand.

Mr. SMITH. I move that this committee be instructed to take charge of the matter, and make provision for such action as may be deemed expedient and proper and report to this convention anything that they may deem it advisable for the convention to do.

Mr. RINER. It seems to me, but I don't wish to interfere with the president's reference at all, that as the proposed investigation relates so entirely to the question of irrigation, it seems to me that this matter should be referred to the committee on irrigation, and I move that it be referred to that committee.

Mr. CAMPBELL. I second the motion.

Mr. PRESIDENT. I wish to say to the gentleman from Laramie that communications of any character, I understand, generally go to the committee on miscellaneous matters, but I suggest that if the convention desire any special reference that I will refer it to that committee.

Mr. POTTER. It seems to me more than proper.

Mr. PRESIDENT. Gentlemen, you have heard the motion made by the gentleman from Laramie that this communication be referred to the committee on irrigation. May there be incorporated in that motion the further motion suggested by the gentleman from Carbon of consulting with the governor, and report what, if anything, need be done by this con-

vention? Is that the desire of the gentleman from Laramie?

Mr. RINER. Yes.

Mr. PRESIDENT. The motion will be considered understood in that way. Are you ready for the question? All in favor of the motion say aye; those opposed, no. The ayes have it. The communication is referred to the committee on irrigation, with the instructions covered by this motion.

Mr. RINER. In order that this proposition in regard to the printing for the convention may be disposed of, I move that the proposition made by Mr. E. A. Slack, of the Cheyenne "Sun," be accepted, and that all the printing be referred to that office, to be done with the approval of the printing committee. The proposition was submitted yesterday, but not acted upon, as I remember.

Mr. SMITH. I second the motion.

Mr. PRESIDENT. Gentlemen, you have heard the motion as made by the gentleman from Laramie, the substance of which was, as I remember, that all matter to be printed should pass through the hands of the committee on printing, and that the work to be done by the "Sun" office, or in substance amounting to that.

Mr. RINER. Upon the terms proposed by him he was to take his chances for an appropriation for his pay.

Mr. COFFEEN. There is just one question arising as to this. I think the proposition of the "Sun" was to do the printing (taking his chances for remuneration hereafter) by bid or specified agreement on the whole or a part. It appears to me that this convention has the power to refer this to the committee to be considered in connection with any bids that may come in from other sources. I only rise to say this that you may see the bearings of this. You have passed it beyond your reach, as to the question of price, if you pass over the thing in an omnibus way, an accumulated way, in that shape, and I think your constituency will expect of you that you take reasonable care of the expenses as you go along.

Mr. CAMPBELL. I agree with the gentleman from Sheridan. It was only this morning I had a talk with a printer here in town, Mr. Bristol, of the firm of Bristol & Knabe. I met him at the Inter Ocean corner, and he asked me whether any propositions had been made, and whether the contract had been awarded the "Sun" office. I said the committee on printing would have the matter in charge, and he said at that time that they wanted to be given an opportunity to put in bids, and that he was willing to do the work upon the same terms as Slack. I think it is premature to award this contract to any one person. If there are other printers who want to do this work, let them have an opportunity to put in their bids, and see what they are willing to do the work for.

CONSTITUTIONAL CONVENTION.

Mr. REID. I fully agree with Mr. Campbell. I think it would be unjust in the extreme to the five other printing offices in this town to award this contract to Slack without consulting them. There are printing offices in Laramie City, and all along the line of this road, and I tell you it looks hardly the square deal to award this contract without consulting them.

Mr. RINER. Perhaps I may be allowed to explain. Perhaps my motion was not broad enough, although I intended fully it should be. The whole matter is to be arranged upon the basis of Mr. Slack's proposition, which, as I understand it yesterday, was that he would do the printing on estimates made, and I supposed upon the general authority of the standing committee on printing, they would be the proper persons to make such estimates, and if there are any other printers who wish to make bids, they, could, of course, furnish the estimates to them. Of course, if there are any other printing companies who can do the work for less than Mr. Slack, I am in favor of giving it to them. I simply brought the matter up that his proposition be accepted, and thought the matter of arrangement could be left to the printing committee to make the best possible agreement in order that we might have some arrangement made for printing as we shall want to have it done from day to day, and whatever is done in regard to this matter should be done speedily.

The GENTLEMAN FROM ALBANY. As I understand the motion of the gentleman from Laramie, it would take the matter entirely out of the hands of the committee to award it to Slack, should his motion prevail.

Mr. BURRITT. I move as a substitute to that that the communication of Mr. Slack be referred to the printing committee, and that they be instructed to make the best possible agreement for the necessary printing of this convention.

Mr. ORGAN. I second the motion.

Mr. RINER. I will accept that as a substitute for my motion, so as to get the matter attended to.

Mr. PRESIDENT. I don't like to make suggestions to the gentlemen on the floor, but it occurs to me that it would be well if there was incorporated into that motion the further provision that the contract be made upon the best possible terms as to price, and under the conditions stated in Mr. Slack's letter. That is, that he would undertake to do the printing and take his chances of remuneration hereafter.

Mr. BURRITT. I move that we incorporate that last suggestion "under the terms suggested in Mr. Slack's letter."

Mr. PRESIDENT. Gentlemen, you understand the motion as made by the gentleman from Johnson. Are you ready for the question? All in favor of the motion will say aye, those opposed no. The communication from Mr. Slack is referred to the committee on printing, with the instructions covered by the motion.

Mr. COFFEEN. I desire to have the resolution which is on the secretary's desk read.

Mr. PRESIDENT. The secretary will read the resolution.

RESOLUTION OF MR. COFFEEN.

Resolved, That the Territorial Librarian be requested to furnish one copy of the Revised Statutes of Wyoming to each member of the convention at his earliest convenience.

Mr. COFFEEN. Mr. Chairman, I move the adoption of that resolution.

Mr. BURRITT. I rise to second the motion.

Mr. PRESIDENT. You have heard the resolution read. The motion is for the adoption of the resolution. Are you ready for the question.

Mr. COFFEEN. I think it may be well for me, as the mover of that motion to say a word. I am authorized to state on behalf of the librarian, and others who have canvassed this matter, that the librarian will feel himself authorized to do this if it comes officially from this convention.

Mr. PRESIDENT. Any further remarks?

Mr. SMITH. There is one thing. I would ask Mr. Coffeen if we are to have part of it if we might not have it all. There is a copy of the session laws in addition to the revised statutes. I would ask Mr. Coffeen to furnish both.

Mr. COFFEEN. I cannot include in this motion the point named, and will state in this connection that there is a great scarcity of session laws. That matter has been considered, but I understand that a copy of the session laws will be furnished to each committee room, notwithstanding the scarcity. There is an abundance of the other, but under the circumstances I cannot well include the session laws.

Mr. PRESIDENT. Any further remarks? The Chair hears none. Question. The question is on the adoption of the resolution. All in favor of the resolution will say aye; those opposed, no. The ayes have it. The resolution is adopted.

Mr. PRESIDENT. I suppose our sergeant-at-arms will act in place of a page until such time as we can get further help, carrying such communications as may be necessary.

Mr. FOX. I desire to offer a resolution.

Mr. PRESIDENT. Mr. Fox, of Albany, offers a resolution.

Mr. COFFEEN. I would inquire whether our resolution notifying certain state officials, delegate in congress, etc., that they are entitled to seats on the floor, has been communicated to these parties, and if not, I wish that it might be done.

Mr. PRESIDENT. I see our delegate in congress is present, and as the president of the convention I would be glad to convey to him the information expressed by the gentleman from Sheridan that he is entitled to a seat on the floor, and I should be very glad to have him use his privilege at any time.

The resolution of Mr. Fox may be read.

Assistant secretary. By Mr. Fox of Albany:

Resolved, That all matter any member may wish to be incorporated in the constitution shall be first introduced in the convention in writing, to be read by the member introducing the same, or by the clerk of the convention; and after a second reading shall be referred to the appropriate committee without debate. And no matter shall be incorporated in the constitution until the subject to which it relates shall have first been considered and reported upon by the committee of the whole.

Each article or resolution so introduced shall be printed, giving its consecutive number of introduction, and a copy thereof shall be furnished to each member before its second reading; Providing, that nothing in this resolution shall prevent the introduction of original matter by any standing committee.

Mr. MORGAN. I would like to have that amended, I think, just a little, and that is that it should not be mandatory that every document of that kind should be read unless called for.

There might be a very long document presented here, and it might not be desirable to have it read at that time. It could go to the proper committee. We could leave all that to the pleasure of the one presenting the paper.

Mr. FOX. My object in introducing this resolution was this. I confess my ignorance of Cushing's manual. I don't know what the order of proceeding is, and I think we should have some understanding about it. If the convention chooses to adopt this resolution, I will understand it, and if they don't choose to adopt it, it will bring to light Cushing's manual.

Mr. POTTER. I second the adoption of the motion.

Mr. PRESIDENT. The matter is now before the convention for its consideration.

Mr. POTTER. Answering the objection that my colleague makes, I desire to make a suggestion. If this is like a legislative body, or if matters are presented in the same manner, they would all have a title, and if they have anything like a title, they could, of course, be read in that way, by title, by motion. Or, if no title appears, it might be read by the first line say, or have it considered read by motion. I think there might be some objection to reading a long document like the one I see behind me here.

Mr. PRESIDENT. As suggested by the gentleman from Laramie, perhaps reading the whole thing could be avoided by reading by title, or by reading under the proper head, or subject, under which the matter should be presented. Any further remarks.

Mr. BURRITT. I rise to ask whether we are now working under the rules adopted yesterday?

Mr. SMITH. I think we are.

Mr. BURRITT. Then I object to the consideration of this resolution. The reason for my objection is, I have a recollection that three rules taken together cover everything contained in this resolution except the matter of printing, which would, if carried out as I understand that resolution now, bankrupt a richer assembly than this convention, perhaps the territory of Wyoming. I therefore object, giving notice that I desire to be heard on this resolution.

Mr. PRESIDENT. Does the gentleman from Johnson so fully remember the rules that he can refresh the memory of the chair upon that subject?

Mr. BURRITT. The chair will recall that the rules provide that propositions when introduced shall be in writing; that they shall then be referred to an appropriate committee; the standing committee first, then the committee of the whole convention, and third, to a select committee, and when three matters are offered at one time they shall be taken in the converse way in which they are made. That only such propositions as the convention shall order printed shall be printed, and it shall be subject to the order of the convention upon each proposition introduced. If there should happen to be five or six complete constitutions presented, I am a little suspicious about the capacity of the printing office that might get the job, and our getting home in one month. My recollection is, Mr. President, I may be mistaken, that under the rules resolutions giving rise to debate shall lie over one day before being acted upon if upon their introduction any member give notice that he desires to be heard. If I am correct the objection of a member desiring to be heard disposes of the proposition until the following day without further debate. I desire to give notice to that effect.

Mr. PRESIDENT. I so understand the rules.

Mr. MORGAN. Mr. President.

Mr. PRESIDENT. The gentleman from Laramie, Mr. Morgan.

Mr. MORGAN. If I am in order, I have the honor to present for the consideration of this convention, a constitution for the state of Wyoming. This constitution was prepared by an ex-chief justice of this territory, Judge J. W. Fisher. Judge Fisher has spent weeks of patient, conscientious work in preparing this document, prompted only, I believe by love and devotion to the country for which he so bravely fought, and for the territory where he has so long lived. He did not request or have any ambition to have his name mentioned in this connection but, of course, I could not present the result of his work without giving him the proper credit.

Mr. REID. I suggest that Mr. Jeffrey, as secretary, read that document.

Mr. PRESIDENT. In our order of business, as fixed by the rules, is there a time for the introduction of matters to be

considered by the convention, or is the introduction of such things allowable at any time? -

Mr. BURRITT. I would like to inquire of the gentleman from Laramie, Mr. Morgan, if he intends that as a proposition?

Mr. MORGAN. What do you mean by a proposition?

Mr. BURRITT. Mr. President, the rules provide that all propositions for the constitution shall be submitted in the order of their introduction, and shall be numbered from one consecutively, as I remember, and if this is a proposition it should be properly numbered.

Mr. MORGAN. Certainly this is a proposition.

Mr. PRESIDENT. The chair would state that it is at least the evident intention of our rules, so far as I remember them, and my memory is not very clear about it, in regard to propositions received is simply this. That a member may present parts of a constitution, but if a whole constitution is covered by his proposition, it should be numbered so that it might be referred by different portions to the different committees. I don't know in what form this entire constitution comes, not having examined it, but it will certainly have to be referred in parts to the different committees.

Mr. MORGAN. Mr. President.

Mr. PRESIDENT. Mr. Morgan.

Mr. MORGAN. I would just state that I understand that that is the way it is prepared so it can be referred to the committees in parts. I believe there is but one subject on a page if I am not mistaken.

GENTLEMAN FROM FREMONT. I move that the first and last line of this constitution be read and the constitution accepted.

Mr. COFFEEN. I desire to suggest that the gentleman from Laramie who offered this proposition move its reference to a special committee on division. Then they could divide it up and prepare it for the proper committees. I do not desire to make such a motion myself, but simply suggest it to Mr. Morgan.

Mr. SMITH. I second the motion.

Mr. HOYT. Mr. President.

Mr. PRESIDENT. The gentleman from Albany, Mr. Hoyt.

Mr. HOYT. I rise for information. Would it be out of order to refer this to the judiciary committee, without the necessity of appointing a special committee?

Mr. PRESIDENT. I understand, gentlemen of the convention, from such information as has been furnished by Mr. Morgan, that this constitution which he has presented is so divided that there will be no trouble in referring it to the different committees as it is now presented. If the chair finds difficulty in referring it to the different committees it will ask the aid of the convention when it becomes necessary. No motion is necessary at the present time.

Mr. BURRITT. I move that this proposition be referred to the committee on legislative department, with the request that they divide it up, and report it back to the convention as soon as convenient. I make this motion with all the more readiness as the gentleman from Laramie, Mr. Morgan, is on that committee.

Mr. RINER. I second the motion.

Mr. PRESIDENT. The gentleman from Laramie, Mr. Potter.

Mr. POTTER. I rise to a point of order. I don't think that that proposition is subject to reference by this convention.

Mr. RINER. I would further amend Mr. Burritt's motion by requesting that this bill be read by title only and then referred.

Mr. ELLIOTT. I rise to another point of order. You can not amend a motion that is out of order.

Mr. PRESIDENT. Your exception is well taken. The chair is unable to remember the different motions made. On this motion to refer, I would simply say that under my recollection of the rules it can not be referred at this time. It is a little difficult to pass an opinion upon any of these questions without having the rules before us, but that would be my recollection of the rules. Now, the first motion being out of order, the gentleman from Laramie, Mr. Riner, makes the motion that it be read by title. That motion I understand is seconded. I think that it is proper, although I have not the rules before me to refer to, but I think the motion to read by title is a proper one and in order.

Mr. SMITH. I understand that to be the rule, Mr. President, but it was not Mr. Riner's motion. His was to amend the motion of Mr. Burritt.

Mr. RINER. I seconded Mr. Burritt's motion, and then asked his permission to amend it and have it read by title and then refer it to the committee on legislative department, that they might consider it and report it back to the convention, so that they could refer it to the proper committees.

Mr. PRESIDENT. The chair understands the motion in that way.

The gentlemen of the convention will come to order. I have glanced over the rules as sent back to us from the printer, and am satisfied that what we have here does not incorporate all that was included in the rules as originally passed by the convention. If it is all incorporated in this reprint I have failed to find any reference to the particular matter now before the house as to the introduction of bills, or anything approaching a bill, and in the absence of the rules, will have to rely upon our remembrance of them.

Mr. MORGAN. We cannot quite hear you.

Mr. PRESIDENT. The question now is shall this constitution offered by Mr. Morgan be referred to the committee on

legislative department. To be read by title and so referred. Are you ready for the question?

Mr. MORGAN. It seems to me that ordinary parliamentary practice should be for the chair to refer it. I think it is so arranged that it can easily be referred by the chair in that way. Mr. Campbell has examined this more recently than I have, and I think he understands that it is arranged in that way.

Mr. CAMPBELL. I understand that it is arranged in that way.

Mr. PRESIDENT. As the chair understands this power to refer, our rules expressly provide that the chair shall refer a proposition to its proper committee, unless the convention otherwise direct. A motion has been made to refer this in a peculiar way, and the motion is in order.

Mr. RINER. If I may be permitted to further explain. The only purpose I had in this was to save the chair the necessity of taking this document and wade through it, and endeavoring to find out the committees to which the subjects therein considered should be referred. My idea is that each subject considered should be presented separately and I think it the duty of the committee, or of any gentleman offering a proposition to see that it is so prepared so the chair can see at a glance where it should go, without being obliged to go to work and figure it out. If it is prepared without reference to any particular committee, I think the chair would be glad of any suggestions as to where the different subjects there treated of should go. It is simply for the purpose of expediting the work of the president that I make this suggestion.

Mr. CAMPBELL. As Mr. Morgan says, I have read the constitution through very recently. There are a great many good things in it. I think it would be well to consider it in connection with the constitution to be formulated by this convention. My own idea would be that it should be referred in parts to the different committees of this convention. For instance on different pages, under separate titles, he has devoted a good deal of space to taxation, ways and means, railroads, federal relations, etc. These should be referred to the particular committee of this convention having those things in charge and in that way it could be easily disposed of.

Mr. PRESIDENT. The question is upon the reference of the proposition to the committee on legislative department, with instructions that they divide it up and refer it to the appropriate committees. All in favor of the motion will say aye; those opposed, no. The noes have it. The matter presented will not be so referred.

The chair would suggest, and I think the gentleman from Laramie, Mr. Riner, made a very proper suggestion in regard to these matters, that we must, it seems to me, keep track of all this matter as files.

There must be some way of keeping our records so as to show where each file goes, and to what committee, and as this is divided up each portion of it forms a file by itself. If there is no objection the chair will examine the matter presented, and divide it up as best it can, and they will then be read by title, according to the motion made, and referred to the different committees.

Mr. SMITH. Mr. President.

Mr. PRESIDENT. The gentleman from Carbon, Mr. Smith.

Mr. SMITH. I was not going to make a motion, but should like to ask for a little information. If my recollection is correct the rules provide that all matter introduced shall be read. Is that so?

Mr. PRESIDENT. That I believe is the rule.

Mr. SMITH. If that is the case, how are you going to avoid it?

Mr. PRESIDENT. I think reading by title and referring will answer in this case.

Mr. POTTER. Will the secretary read the title to File No. 1?

Mr. PRESIDENT. The secretary will please read as requested.

SECRETARY. File No. 1, introduced by Mr. Morgan, entitled Declaration of Rights.

Mr. TESCHEMACHER. Mr. President.

Mr. PRESIDENT. The gentleman from Laramie, Mr. Teschemacher.

Mr. TESCHEMACHER. I move that we take a recess of fifteen minutes to allow the president to read the file over, and allow the Laramie county delegation to smoke their cigars.

Mr. REID. I second the motion.

Mr. PRESIDENT. The motion is that we take a recess of fifteen minutes. All those in favor of the motion will say aye; those opposed no. The ayes have it, and the motion prevails.

RECESS.

Mr. PRESIDENT. The gentlemen will come to order.

GENTLEMAN FROM UINTA. Mr. Chairman. Is there a motion before the house? If not, there is a matter I want to speak of while I think of it. The roll call this morning shows that my colleague, Mr. Clark, is absent, and I desire to state that while I have an impression that Mr. Clark obtained leave of absence from the president of this convention, in order that he might attend to his professional duties in the district court at Evanston, still I think that the record ought to show that Mr. Clark is not absent without leave, and for that purpose I will move that Mr. Clark be excused from further attend-

ence upon this convention until such time as his professional duties will permit him to return, if I can obtain a second.

Mr. CONAWAY. Second the motion.

Mr. PRESIDENT. I will state to the convention that it is not in the power of the president to excuse any one, but that Mr. Clark informed me that he desired to be absent, and would be glad to be excused. If there is no objection, I will not put the motion fully, but Mr. Clark will be excused and our record will so show. There being no objection it is so ordered.

Gentlemen of the Convention: Your president has done the best he could to separate the matter that was presented for your consideration, and we will now have it read by title in accordance with the motion before made, and referred to the proper committees. We will do the best we can to get it to the proper committees.

The secretary will please read title 1.

SECRETARY. File No. 1, introduced by Mr. Morgan, September 5th, 1889, entitled Declaration of Rights.

Mr. PRESIDENT. File No. 1 will first be disposed of. It has been read by title and will be referred to Committee No 1 on Preamble and Declaration of Rights.

Mr. PRESIDENT. The secretary will read the title to File No. 2.

SECRETARY. File No. 2, by Mr. Morgan, Legislative Department.

Mr. PRESIDENT. If there is no objection, File No. 2, having been read by title, will be referred to Committee No. 2, Legislative Department, unless the convention should order otherwise. There being no motion to otherwise refer it, it is referred to the Committee on Legislative Department, No. 2.

The secretary will please read File No. 3 by title.

SECRETARY. File No. 3, by Mr. Morgan, Executive.

Mr. PRESIDENT. If there is no objection, File No. 3, having been read by title, will be referred to Committee No. 3, Executive Department.

The secretary will read File No. 4 by title.

SECRETARY. File No. 4, by Mr. Morgan, Judiciary.

Mr. PRESIDENT. File No. 4 having been read by title unless otherwise ordered will be referred to Committee No. 4, Judiciary. There being no motion, it is so ordered, Mr. Secretary.

The secretary will please read File No. 5 by title.

SECRETARY. File No. 5, by Mr. Morgan, Qualifications for Office.

Mr. PRESIDENT. You have heard File No. 5 read by title and if there is no objection it will be referred to Committee No. 5, Qualifications for Office, etc. There being no objection heard it is so ordered.

The secretary will please read File No. 6 by title.

SECRETARY. File No. 6, Elections, by Mr. Morgan.

Mr. PRESIDENT. File No. 6 having been read by title, unless otherwise ordered, will be referred to Committee No. 5, on Elections, etc.

The secretary will read File No. 7 by title.

SECRETARY. File No. 7, by Mr. Morgan, Taxation and Finance.

Mr. PRESIDENT. File No. 7 having been read by title, unless otherwise ordered, will be referred to Committee No. 11, on Taxation and Finance. The chair hears no objection and it is so ordered.

Mr. PRESIDENT. The secretary will please read File No. 8 by title.

SECRETARY. File No. 8, by Mr. Morgan, Education.

Mr. PRESIDENT. File No. 8 having been read by title will be referred to the Committee on Education, No. 7, unless otherwise ordered by the convention. There being no motion, it is so ordered.

The secretary will please read File No. 9 by title.

SECRETARY. File No. 9, by Mr. Morgan, Militia.

Mr. PRESIDENT. File No. 9 having been read by title, will be referred to Committee No. 16, on Militia, unless otherwise ordered. There being no motion to otherwise refer it, it is so referred.

The secretary will please read File No. 10 by title.

SECRETARY. File No. 10, by Mr. Morgan, Public Officers.

Mr. PRESIDENT. You have heard File No. 10 read by title and it will be referred to Committee No. 5 unless otherwise ordered. There being no motion, it is so referred.

SECRETARY. I failed to hear the number of that committee.

Mr. PRESIDENT. No. 5.

The secretary will please read File No. 11 by title.

SECRETARY. File No. 11, by Mr. Morgan, City Charters.

Mr. PRESIDENT. File No. 11 having been read by title, will be referred to Committee No. 12, on County, City and Town Organizations, unless otherwise ordered by the convention. We hear no motion and it is so referred.

The secretary will please read File No. 12 by title.

SECRETARY. File No. 12, by Mr. Morgan, Railroads.

Mr. PRESIDENT. File No. 12, having been read by title, will be referred to Committee No. 14 unless otherwise ordered by the convention. The chair hearing no objection, it is so referred.

The secretary will please read File No. 13 by title.

SECRETARY. File No. 13, by Mr. Morgan, Future Amendments.

Mr. PRESIDENT. File No. 13, having been read by title will be referred to Committee No. 18, on Future Amendments, unless otherwise ordered. The chair hears no objection and it is therefore so ordered.

Mr. TESCHEMACHER. Mr. President.

Mr. PRESIDENT. The gentleman from Laramie, Mr. Teschemacher.

Mr. TESCHEMACHER. I move that Saturday, Sept. 7, be set aside as the day for the reception of resolutions and propositions. If I can get a second I will explain that motion.

Mr. CAMPBELL. Second the motion.

Mr. PRESIDENT. You have heard the motion that Saturday—does the gentleman mean by that each Saturday?

Mr. TESCHEMACHER. Oh! no; Saturday, Sept. 7th.

Mr. PRESIDENT. That Saturday, Sept. 7th, be set aside for the reception of resolutions and propositions. Are you ready for the question?

Mr. TESCHEMACHER. I propose by this resolution to make that the special order of the day for that day, with the object if possible, of getting as many resolutions and propositions before this convention on that day to be referred to the various committees hoping in this way to have sufficient matter brought before them to give them work enough to go ahead on at the beginning of next week. Many members here naturally have resolutions which they wish to offer. Now, under our rules, as I understand them, resolutions giving rise to debate shall lie over one day, and as resolutions are offered every day, it becomes apparent that no committee will be able to go to work in a satisfactory manner, because just as they are ready to report on some one resolution, some other resolution will be introduced, and it will have to be necessarily referred to them, and their report will be put off. I therefore put this motion, hoping that members who have resolutions prepared or who are thinking of offering resolutions will put them in, as far as possible, on the same day. This will, of course, not preclude other resolutions being referred on any other day.

Mr. PRESIDENT. Any further remarks?

Mr. POTTER. Mr. President.

Mr. PRESIDENT. The gentleman from Laramie, Mr. Potter.

Mr. POTTER. I move to amend the motion so as to read a little differently. That the presentation of resolutions or propositions be made the special order for Saturday, instead of the day being set aside for that.

Mr. TESCHEMACHER. I accept the amendment.

Mr. POTTER. The other way, it might preclude other business that ought to be attended to.

Mr. PRESIDENT. Is there any further debate? Gentlemen, the question is upon the motion as amended to set aside Saturday for the special order of the introduction of resolu-

tions, propositions, etc. All in favor of the motion say aye. Those opposed, no. The ayes have it, and the motion prevails.

Mr. RINER. I notice that we have present with us the Hon. Secretary of the Territory, and I now move that he be requested to address the convention.

Mr. CAMPBELL. I second the motion.

Mr. PRESIDENT. Without putting the motion formally, the chair gladly requests the gentleman to address the convention at this moment, if no objection is raised by the members, and I am sure none will be raised.

Mr. RINER. Never.

SECRETARY MELDRUM. The secretary has no speech prepared to present to this convention, and he will ask to be excused.

Mr. SMITH. Borrow one from the mover of the motion.

Mr. PRESIDENT. I have a communication from a very refined and excellent lady of the city of Cheyenne, offering thanks for the point made by the president upon his nomination to office. The lady I refer to is Mrs. F. E. Warren, who presents her compliments in the form of a beautiful bouquet, which you will see before you, and for which the president of the convention is very grateful. She expresses the hope that the members of the convention will act in accordance with the views expressed by the president at that time, in speaking on the subject of woman's suffrage. I think you will all appreciate her good judgment as one of the leading ladies of this city and of the territory, and I also trust that you will consider the nature of her request when you act upon that question.

Mr. MORGAN. Mr. President.

Mr. PRESIDENT. The gentleman from Laramie, Mr. Morgan.

Mr. MORGAN. I have no motion to make, but I would ask that the president state the form in which these propositions should be made to the convention relating to the constitution.

Mr. PRESIDENT. The chair would say that I do not understand that these propositions are to come in any particular form. A party may present a proposition referring to any portion of the constitution in such form as the gentleman presenting it may see fit, but it should clearly designate in its title, or in some way, the general object of the proposition, so that if it is long it need not be read at length to the convention, unless the convention desires it, but can be referred to its appropriate committee by a brief statement of its subject. There might be, for instance, a great many propositions referring to corporations and they might contain propositions covering only a portion of the subject that would be taken in charge by the committee on corporations. You might divide up that proposition in as many ways as there

are subjects, and refer each subject to its proper committee, But it should be clearly stated either in the designation of the proposition what it is intended to cover, so that it can be properly referred, or it should be stated on the back of the document in some way so that we may not be obliged, unless desired by the convention, to hear it read at all. It is the desire of the president, I assure you, to do all in his power to expedite the transaction of business as far as possible.

Mr. CAMPBELL. Mr. President.

Mr. PRESIDENT. Gentleman from Laramie, Mr. Campbell.

Mr. CAMPBELL. While we are on this subject, I might say that Judge Carey was in the room while the convention had its recess, and I asked him what the course was in congress, and I assure you that it is a very good one. He told me that all propositions submitted have a proper title as to what they relate to, and then endorsed on the back, each proposition has the name of the committee to which it belongs. If the proposition is found to contain matter which does not belong to the committee to which it is referred, it is then referred back to the proper committee, and it seems to me that it would be a very good thing for us to follow a course something like this.

Mr. PRESIDENT. It strikes me that it would be a very good thing when a proposition is submitted to have the clerk briefly state the subject, and it could then be referred by the chair, but if the party referring it will so endorse it with the number of the appropriate committee, it will save the chair looking into the subject matter.

Mr. SMITH. Mr. President.

Mr. PRESIDENT. The gentleman from Carbon, Mr. Smith.

Mr. SMITH. I don't understand that there is anything special before the house, and since we are taking about this matter, perhaps it might facilitate matters to have some definite understanding about it. I think that members should always be careful not to include two subjects in the same proposition offered, or at least have each subject on a separate page. The title should include the subject itself, and should be endorsed on the back with the number of the committee to which it belongs, and the name of the member who offers the proposition. I know that in the Pennsylvania legislature of the committee to which it belongs, and the title itself must also indicate the subject to be covered and the name of the person who presents it.

Mr. RINER. Mr. President.

Mr. PRESIDENT. The gentleman from Laramie, Mr. Riner.

Mr. RINER. I wish to make a motion by common consent. I move we adjourn until tomorrow morning at 10 o'clock.

Mr. GRANT. I second the motion.

Mr. PRESIDENT. I believe our rules do not set any special time.

Mr. RINER. I think not.

Mr. PRESIDENT. Gentlemen, the question is upon the motion to adjourn until 10 o'clock to-morrow morning. Are you ready for the question? All in favor of the motion say aye; those opposed no. The ayes have it, the motion prevails.

The convention stands adjourned until 10 o'clock to-morrow morning.

FIFTH DAY.

MORNING SESSION.

Friday, Sept. 6, 1889.

Convention assembled at 10 o'clock a. m., President Brown in the chair.

Mr. PRESIDENT. Gentlemen, come to order.

Prayer.

Mr. PRESIDENT. The secretary will call the roll.

Roll call.

Mr. ELLIOTT. Mr. President, I would suggest that the committee on agriculture be notified of the fact that the roll has been called, they are in the committee room at work.

Mr. PRESIDENT. Is the committee in session.

Mr. ELLIOTT. They are.

Mr. PRESIDENT. The sergeant-at-arms will please notify them.

(The Committee on Agriculture is notified as above suggested and come in.)

Mr. PRESIDENT. The secretary will please call the names of the gentlemen.

Mr. Butler will necessarily be absent for a day or two and asks to be excused. Mr. Downey has been excused by the action of the convention for a few days until he can be here. Mr. Clark has also been excused. The records may so show. Mr. Frank is absent today and asks to be excused until Monday. Mr. Scott is also absent on very urgent business, and will be absent until Monday and desires to be excused. Mr. Hopkins has not yet qualified as a member of this convention, nor has Mr. Harvey, whose names are called. So far as I can remember, these are all the members who asked to be excused.

Mr. GRANT. I have been requested to name Mr. McGill.

Mr. PRESIDENT. Are there any others?

Mr. BARROW. It will be absolutely necessary for me to be absent two or three days. I would like to go home to-day, and cannot return before Tuesday, but if the convention will