

Mr. CAMPBELL. I move we take a recess for half an hour and someone be directed to go to the Sun office and see if there is anything to be done this afternoon.

Mr. ORGAN. Second the motion.

Mr. PRESIDENT. It is moved and seconded that the sergeant at arms be sent to the Sun office to find out what material, if any, this convention can have to work on this afternoon. Are you ready for the question? All in favor of the motion will so signify by saying aye; contrary no. The ayes have it, the motion prevails. The sergeant-at-arms is so directed.

The question is now that we take a recess of thirty minutes. Are you ready for the question? All in favor of the motion will say aye; contrary no. The ayes have it; the convention stands in recess until 2:45.

Recess.

Mr. PRESIDENT. The convention will come to order. The sergeant-at-arms has returned and says nothing will be ready before 4 o'clock and perhaps not then.

Mr. RINER. I move we adjourn until 9 o'clock tomorrow morning.

Mr. REED. Second the motion.

Mr. IRVINE. I move to amend by making it 10.

Mr. HAY. I have a proposition which I would like to offer, concerning the salaries of public officers.

Mr. PRESIDENT. If there is no objection the file will be referred to the committee on salaries. Is there objection? The chair hears none, it is so referred.

Mr. RINER. I now renew my motion to adjourn until 9 o'clock tomorrow morning.

Mr. IRVINE. I moved an amendment making it 10.

Mr. PRESIDENT. It is moved that we adjourn until 9 o'clock. Mr. Irvine moves to amend by making it 10. Are you ready for the question? Those in favor of the amendment making it 10 will say aye; contrary minded no; the noes seem to have it. The question is now on the original motion that we adjourn until 9 o'clock. All in favor of the motion will say aye; contrary no; the ayes have it; the motion to adjourn prevails.

FOURTEENTH DAY.

MORNING SESSION.

Tuesday, September 17th.

Convention assembled at 9 o'clock.

President Brown in the chair.

Mr. PRESIDENT. Convention come to order. Is the chaplin present?

Mr. CAMPBELL. Mr. President, as the chaplin was not here when we adjourned yesterday, I guess he did not know the hour fixed for our meeting this morning, which was 9 instead of 10 o'clock.

Mr. PRESIDENT. If there is no objection we will dispense with his services for this morning. The secretary will proceed to call the roll.

(Roll call; thirty members present.)

Mr. HOYT. I suppose it would be in order to move that those members be excused who were not able to be present yesterday on account of the delay of the train.

Mr. SECRETARY. That was done yesterday, Mr. President.

Mr. PRESIDENT. Are there any corrections to be made to the journal? There being none suggested it will be approved as read. It is so ordered, Mr. Secretary.

Introduction of petitions, memorials, propositions, etc., are now in order. Are there any to be presented this morning?

Reports of standing committees. Any reports this morning?

Mr. JEFFREY. Mr. President.

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

Mr. JEFFREY. Committee No. 5 ask leave to submit a supplemental report, in addition to the report already presented by them on elections and the right of suffrage, and ask the privilege for this reason. At the time the original report was prepared there were some matters which it was thought at the time would be incorporated into the bill of rights, but as this matter comes up first the committee ask leave to submit this report, and embody in it these matters which we thought would be incorporated into the bill of rights as I have already stated. We also ask to embody in this report suggestions regarding the addition of another section to the original report made by the committee, and we ask that this supplemental report be considered at the same time with the original report of the committee, and be considered as a part of that report.

Mr. PRESIDENT. The gentleman from Laramie will present his report. Are there any other reports? The secretary will read.

Supplemental report of Committee No. 5.

Mr. PRESIDENT. Gentlemen, the recommendation of the committee is that this supplemental report be considered by the committee of the whole in connection with File No. 68, special order of the day. All who are of the opinion that the

matter be so referred and considered will say aye; those opposed no. The ayes have it; the matter is so referred. The secretary will read the other report submitted by Committee No. 10 at this time.

(See journal page 63.)

Mr. PRESIDENT. Gentlemen, the regular order of business having been disposed with for the morning, the special order of the day will now be taken up by the committee of the whole. Is there a motion that we now go into committee of the whole?

Mr. TESCHEMACHER. I move we now resolve ourselves into committee of the whole for the consideration of the general file, special order.

Mr. MORGAN. Second the motion.

Mr. PRESIDENT. All in favor of the motion that we now go into committee of the whole will say aye; those opposed no. The ayes have it; the convention is now in committee of the whole. Will Mr. Morgan of Laramie take the chair?

Mr. CHAIRMAN. The question before you gentlemen for consideration today is the report of Committee No. 5, on suffrage. The first section of the report will be read.

(Reading of Sec. 1.)

Mr. CHAIRMAN. Will you agree to the section, gentlemen?

Mr. JEFFREY. The first amendment suggested by the committee in its supplemental report properly belongs in Sec. 1, and is in the language of the original file No. 25, introduced by Mr. Baxter.

Mr. CHAIRMAN. Does the gentleman move to amend by adding the words "both male and female citizens of this state shall equally enjoy all civil, political and religious rights and privileges?"

Mr. BURRITT. I understand that is Sec. 1 as it comes before the committee of the whole.

Mr. CHAIRMAN. Is the committee ready for the question?

Mr. CAMPBELL. I move to amend by making it a separate article, to be separately submitted and voted upon separately by the people.

Mr. REED. Second the motion.

Mr. BURRITT. I rise to a point of order, for the reason that the proposed amendment is not germane to the subject. It does not affect the subject matter at all, but is an entirely different question.

Mr. CHAIRMAN. The chair will decide. The point of order is not well taken because it has to do with matters concerning the right of suffrage, and its submission to the people with this constitution. The question is upon the amendment

offered by the gentleman from Laramie, Mr. Campbell. That the question of suffrage, so far as it relates to women, should be submitted in a separate article to the people. Are you ready for the question?

Mr. CAMPBELL. I suppose a great many persons will think because I made this amendment that I am opposed to woman suffrage. If anyone has such an impression it is an absolutely wrong impression. There was a time, before I came to Wyoming, that I was very decidedly opposed to granting the right of suffrage to women. That was an impression that I gained in early youth, and impressions gained at that time are hard to get rid of. I was living in the state of Nebraska at the time the constitution was submitted there, providing that women should have the same privilege of voting as men, and up to that time I was not bitterly or violently opposed to it, but I did not deem it expedient at all. I thought it was a departure from the fundamental principles that had been heretofore established; that it would be very vicious in its tendencies, and at that time I heard the question discussed by the convention of women suffragists, one presided over by Susan B. Anthony and the other Elizabeth Cady Stanton. But the time I first became most interested in this question was during the woman's convention at Omaha, in the year 1882, when I heard the matter discussed as I had never heard it before. A joint discussion was held in the opera house, and was participated in by Phoebe Cozzins and a very bright young lawyer of Nebraska, and I remember very well that one argument he made against granting the right of suffrage to women was that it had been established in the territory of Wyoming, and that it was a failure in the territory of Wyoming. I had never been in Wyoming at that time, and took his statement as correct. He also said that throughout the entire length and breadth of the of the United States you could not find a more lawless condition of things existing then at Rawlins, Laramie City and Cheyenne, and that it was owing to this very fact. That was the expression he used from the stage of Boyd's opera house, in answer to Phoebe Cozzins. I took that statement as true. Soon after the election of 1882, in Nebraska, where this matter was submitted as a separate proposition to the vote of the people, I came to Wyoming, and among the first questions that I asked was whether Cheyenne, Rawlins and Laramie City were as vicious and lawless as I had been led to believe, and I discovered for myself that it was not true. I have seen and participated in several elections since I have been in this territory and I must confess that they have always been conducted in the most orderly manner, still at the same time while I believe it has not worked any great harm, that its tendencies have been good, nevertheless you hear it said throughout the length and breadth of this territory, and I believe I have been

in every county in the territory except Johnson and Sheridan, and ever since I have been traveling through the territory I have heard it from persons opposed to women's suffrage that the people of the territory of Wyoming have never been given an opportunity to vote upon this question; that the persons who were sent to the legislature are always afraid to give the people an opportunity to vote upon this question, and I believe that before it should be established as a fundamental law of the new state that the people should have an opportunity to vote upon this question. Now, I have been requested by persons in this city to present this proposition. I have been told that if I did a thing of this kind that I would forever be marked, and the women would not vote for me. I don't care a cent for that. If the thing is fair and right in a matter of that kind I would not give my convictions of what is fair and just for any gift in the hands of the territory of Wyoming, or of the new state of Wyoming, whether it be senator in the congress of the United States or a justice of the peace and I say, Mr. President, that in justice to the persons who want to vote upon this question, it is no more than right that they should be given an opportunity. It has been said that the women here care nothing about having the right to vote, that they have never been given an opportunity to express their opinion about it. Now this amendment will give the women who are in favor of it the chance to say whether they want to vote or not, and the women who are opposed to it will have a chance to vote down this proposition. Now I don't know how this act granting the right of suffrage to women came to be passed by the legislature, but I have heard of it, and the account is something like this. That the legislature that passed this law granting suffrage to women scarcely considered the matter at all, were surprised when it passed, and when the governor signed the act. It was introduced mere as a joke than anything else, and at no time was it seriously considered. If I am wrong in my account of the method by which this law was passed, gentlemen who have been in the territory for a long time, who were here at that time, can correct me. Now, if that is so, and the people have never had the chance to vote upon this proposition, and inasmuch as the women themselves will have the right to vote upon it, it is no more than right that the proposition should be submitted to the people, and give them a chance to express their opinions in reference to it. I will say for myself that if the proposition is submitted I will vote in favor of woman's suffrage, but I do say that those who are opposed to it ought to have the chance to say if they shall be given that right. Another thing, Mr. President, we are going to have a pretty tough time getting into the union, no matter what sort of a constitution you present to the people, and if you put a proposition of this kind into the constitution without

giving those persons who are opposed to woman's suffrage a chance to express their opinion about it, they will vote against that constitution. I am satisfied they will do it. Again if you submit this as a separate proposition, it is one of the strongest arguments that the advocates of woman's suffrage can use throughout the other states and territories in this union. If you put it into the constitution and do not give the people the right to vote upon it, you will be met by the argument from those who are opposed to it that you have never given the people of Wyoming a chance to vote upon that proposition at all, and it is no argument to say that the majority of the people are in favor of it, for you do not know whether they are or not. You answer and say that they had the chance to reject the constitution. The argument is thrown back in your teeth, that is true, but they were so anxious to come into the union, and there were so many other good provisions in their constitution, that they were willing to submit to that, rather than have the whole thing rejected. If you leave it to the people to decide I have no doubt, from my observation throughout this territory, that it would be adopted by two-thirds, if not more, and you can then go before the legislatures of the different states and say to them, here is this proposition, it was adopted by the territory of Wyoming, has worked there successfully for twenty years, they have adopted it in their constitution as a state, it was submitted to the vote of the people, and here is the verdict of the people upon that matter. It will be the most convincing argument in favor of the question which it is possible to offer.

Mr. CHAIRMAN. Any further remarks upon the amendment?

Mr. BAXTER. In order to make a brief explanatory statement of my position in this matter, I ask to be heard for a few minutes only. We are here for the purpose of framing a constitution for the state of Wyoming. We have been especially honored by the people among whom we live by being delegated to perform this duty. So far as the greater part of our work is concerned we should not be greatly perplexed, because we are traveling over well known ground. From the earliest days of the republic down to the present time the ablest, truest and best men of the several states of this union have been called into the service of the people in formulating into the clearest and most concise language those fundamental principles of liberty, justice and equality, which must of necessity be the foundation of any instrument intended for the government of a free people. It seems to me, therefore, that so far as nine-tenths of our labor is concerned, we have only to exercise an intelligent and discriminating judgment in our study of the work of the constitutional builders who have preceded us. But there are other questions concerning which we shall not find

such clearly defined precedents. Questions arising from the evils or the necessities of the day and generation in which we live, and it seems to me that it is in meeting these questions that we shall prove ourselves worthy or unworthy of the confidence reposed in us. I stand here to-day interested perhaps in the question of securing to all the citizens of the state absolute and exact justice in the matter of the elective franchise, and in throwing about the exercise of that right every possible safeguard and protection; interested, I say more than in any other question that shall probably come before this body for its consideration. I have seen in the past, and upon the streets of this capital city, such degradation upon the part of some of the electors of this territory, such open buying and selling for money or official places of importance and responsibility, as would cause the cheek of an honest man to burn with indignation. Those of you whose homes are in some other part of the territory have no doubt witnessed a similar corruption of public morals. It was in the hope that I might in some small degree contribute to eradicating this evil, to the end that this disgrace might no longer attach to the name of our people, that I consented to allow my name to be used as a candidate for election to this body. I am here to assist in the formation of a constitution whose tendency shall be to elevate rather than degrade the citizens of the state. I am here to assist in the formation of a constitution under which integrity of character and personal fitness shall be the first and essential requisites for official station; I am here to assist in the formation of a constitution under which the honorable aspirations of a poor man may stand some chance of realization, even though some unscrupulous and purse proud money bag should be his opponent before the people. The few suggestions which I have had the honor to make to this convention, as worthy to be incorporated into the constitution, have indicated clearly the direction in which lay my special interest in the work which we have in hand. First, securing to every citizen of the state the right to cast his or her ballot, and have it counted; second, purifying our elections so far as may be possible, and third, establishing clearly and beyond question the relations which must exist between the people and certain of their creatures, corporations. Now it happens from the order in which these questions are brought before you, that of the suffrage is first presented for your consideration, and unless I have greatly mistaken the temper of this body I deem it extremely fortunate for us and for the people of the state of Wyoming and fortunate for those who are to come after us that there is no serious division among us on this question. The men of Wyoming do not propose to deny to their wives, their mothers and their sisters the right which the immortal Lincoln and Seward and Sumner and Grant and Chase, raised up by an over-ruling Providence

in the darkest hour in the history of this nation, to preserve it from dismemberment, deemed worthy of bestowing upon millions of emancipated slaves. I say, therefore, that it is fortunate that no argument is needed on this question. If it was I see gentlemen on every side of me before whose superior qualifications for such a task I should bow with the greatest deference. But it seems to me that argument is not necessary. I may be permitted to say that no man living holds women in higher esteem than I. While I may not with the same ease and fluency of other gentlemen on this floor give expression to my admiration, I am bold to say I yield to no man in the homage and adoration which I feel and which upon all proper occasions I gladly pay to a pure and lovely woman. But as it seems to me with argument unnecessary and compliment of doubtful propriety, I have risen simply for the purpose of stating my position on this question. I have not been led to declare myself in favor of this measure from any sentimental consideration. I am not in favor of it on any ground of sentiment. The man who thinks so has no knowledge of me nor any knowledge of any man who ever bore my name. I am for it, and I believe in it because of that great and overpowering consideration which should influence every man on this floor in casting his ballot, and that consideration is because it is right, because it is fair, and because it is just, and I shall ever regard as a distinguished honor my membership in that convention on which for the first time in the history of all this broad land, rising above the prejudices and injustice of the past, incorporated into the fundamental law of the state a provision which shall secure to every citizen within her borders not only the protection of the courts but the absolute and equal enjoyment of every right and privilege guaranteed under the law to every other citizen.

Mr. CHAIRMAN. Any further remarks on the amendment.

Mr. COFFEEN. Mr. Chairman.

Mr. CHAIRMAN. The gentleman from Sheridan, Mr. Coffeen.

Mr. COFFEEN. I did not come here with the wish to say anything on this subject. I had in my own mind arrived at the conclusion that this body of men, sent to formulate a constitution for this proposed state of Wyoming, were already decided upon this question with great unanimity, and were more unanimous perhaps, in favor of woman's suffrage than upon any other question that could possibly come before the convention. I had almost expected that the opposition would not show itself even in our convention. But it has, and it has taken the shape of a proposition to submit this question separately to the people, and the speech made in favor of that proposition has taken the shape of an apology, an apology, before this en-

lightened convention for making such a proposition. The question as I take it is already settled in the hearts and minds and judgment of the people of our glorious state proposed to be, and shall we stand here today and debate over a question when every element of justice and right and equality in our state is in its favor, when not one iota of weight of argument has been made against it. Shall we stand here in long debate when every word that can be said on this question is in favor of continuing the good results of woman's suffrage which we have already experienced for twenty years in this territory? But I am unwilling to stand here and by vote or word or gesture disfranchise one-half the people of our territory, and that the better half. We have come into this grand and glorious territory, with its grand, magnificent resources, from the various states of our glorious union, driving along with our wagons and teams, with our families, songs on the lips of our children, prayers in the hearts of the mothers, firm determination on the countenances of the fathers coming into this great free land to build up homes, happy homes, but is it for man alone? No, never, but for man, woman and children alike, yes, for all of God's children alike in this glorious land. I shall not go into the policy or propriety of submitting such a proposition as this now before us to the people of this territory. Shall we stand here and by accepting this proposition sign away all possible chance of our having this constitution ratified by the people? No, let us catch inspiration from the glorious features of nature about us, the grand valleys, the lifting mountains, the reverberating hills, the floating clouds so lovely above them, yes, let us catch inspiration from the beautiful symbols and surroundings about us, and let us incorporate into the constitution of this coming state, for which we all hope so much, a clause giving full, free and equal enjoyment of the rights of suffrage to all.

Mr. CHAIRMAN. Any further remarks?

Mr. HOLDEN. I do not desire at this time to offer any reason why the right to vote should be granted to women; that is not the question before us. The question before us is shall we secure that right by fundamental law? The proposition now under consideration is shall we leave this question to the people of Wyoming to say whether or not the privilege of voting shall be secured to women. Now, Mr. Chairman, I believe that I voice the wishes of the people of Uinta when I say that rather than surrender the right which the women of this territory have so long enjoyed, a privilege which they have not only used with credit to themselves but with profit to the country, in which they live, I say rather than surrender that right, we would rather remain in a territorial condition throughout the endless cycles of time.

Mr. CONWAY. It seems to me that a proposition of such importance as the one under discussion should not be passed

over lightly, or without consideration. But at the same time, the sentiment of this convention, and I believe of the people which we represent, is so nearly unanimous, that extended argument or extended discussion, it seems to me, would be a mere waste of time. From my earliest recollection I have been as a boy, and as a man, in favor of woman's rights. Before that question took the form of the question as to the right of suffrage, in my own childish and boyish mind, I had wondered why it was that any woman upon whom the necessity of self support was imposed by circumstances, when that class of women did the same work that a man did, and did it equally well, why they did not receive the same compensation. I was always as a boy and as a man a woman's rights boy and a woman's rights man upon that question. And in reflecting upon that it seemed to me that to deprive women of the right of suffrage, of the right to vote, of the right of expressing their opinion in that way upon public questions, might have something to do with it, and these considerations which appealed to my sense of justice as a boy are stronger today than they were then. It is claimed that a woman who does the same work as a man does not require nor expect the same compensation but I say give her the opportunity to have a voice in these questions. If the proposition of the gentleman from Laramie, Mr. Campbell, was to submit to a vote of the people the question whether his property or my property should be taken from me and given to somebody else, if that was the question there would be no difference of opinion upon the proposition. In Wyoming this right of our ladies has been recognized, has been enjoyed; there is such a thing in law as vested rights, and the decisions of our courts are unanimous that it is not within the power of the legislature even to take away from any person his rights or his property, and to confer them upon another, and it seems to me that is what this proposition proposes to do, submitting to a vote whether we shall take away from one-half of our citizens, and as my friend across the way has well stated, the better half, a certain right, and increase the rights of the other half by so doing. That is what this proposition proposes to do. But I do not, as I said at the outset, think it necessary to discuss this question at length, our time is too precious, many of our members are anxious to get through with their labors, and it seems to me that the consideration of this question is more in the nature of a kind of class meeting, for the exchange of friendly words and speeches, than of any argument. Thanking you for the courtesy and kind treatment extended me, I will say no more.

Mr. BROWN. Before saying anything on the question before the house, or rather the committee, now, I wish to pay a tribute to the high integrity of the gentleman who made the motion to submit this question to the people as an independ-

ent proposition. I have known him for many years, and I know him to be a man of conscience, and I know when he presents this proposition he presents it in the highest good faith, and although we may differ with him as to what is right and proper at this time, as members of this convention we can certainly concede to him the highest and best motives which we each and every one claim for ourselves. Having said so much as to this matter, I now desire to call the attention of this committee to another matter. I have heard a rumor, and the rumor has gone forth throughout the territory of Wyoming that there is to be a secret effort made by certain people, from what cause, or governed by what motive, we know not, to defeat this constitution when it shall be submitted to the people, and I have heard it rumored, Mr. Chairman, that the very proposition submitted by my friend from Laramie, Mr. Campbell, is a part of that scheme. I do not attribute it to him in any manner, because I know the gentleman is honest and honorable in its presentation, but inasmuch as this rumor has gone broadcast throughout the territory, to present the matter in this way now is a dishonest and dishonorable scheme. A step further. As a matter of principle I am opposed to the proposition, but I wish now, as one of the early residents of the territory, to call the attention of the convention to the history of legislation in Wyoming upon the question of woman's suffrage. It has been said, and my friend repeats the rumor, that the proposition to give women the right to vote in Wyoming was originally presented in jest. I think the rumor is not well founded. It is well known among the early residents of this territory that the then president, or presiding officer of one branch of the legislature, a Mr. Bright, of the county of Sweetwater, was an honorable and able advocate of the right of suffrage to women, and of granting that right to women. When the legislature, the first in Wyoming, convened at the capital, a lady of this city, Mrs. Esther Morris, presented a bill to Mr. Bright, asking the favorable action of the legislature upon that question. The question was considered by the legislature, and whether or not there was some of its members who treated it as a matter of jest, I know not, but that the measure was adopted in serious earnestness there is no doubt. The second legislature of Wyoming convened at the capital and a bill was introduced by a member of that body to repeal the former bill. The question was seriously and earnestly considered in that legislature, and I know the temper of the men who then discussed it, because I was a member of that legislature, and the question of woman's suffrage in that legislature became a political question. It happened that it was presented by a Democrat, some feeling had arisen among the members of the convention and some hostility had grown up amongst them against the executive of the territory at that time because of certain veto

measures; growing out of this feeling the party lash was brought down, and after the bill repealing this law had been passed by a majority of the members of the legislature, the governor vetoed it. It came back for reconsideration and the veto of the governor was sustained, notwithstanding the fact that the party lash was brought down upon the backs of members of that convention who were Democratic in their opinion, and by reason of this party lash many of them were forced to vote against their convictions and give their support to the question of woman's suffrage in Wyoming. From that day to the present no man in the legislature of Wyoming has been heard to raise his voice against it. It has become one of the fundamental laws of the land, and to raise any question about it at this time is as improper in my judgment as to raise any question as to any fundamental right guaranteed to any citizen in this territory. I would sooner think, Mr. Chairman, of submitting to the people of Wyoming a separate and distinct proposition as to whether a male citizen of the territory shall be entitled to vote. If we are at this time to discriminate between men and women as to this elective franchise let us put them upon the same common basis, and let us, if we are to vote as a people upon this question of suffrage, cover the whole ground and not a part of it.

Mr. HOYT. I sincerely regret the occasion for any discussion on this question. I had assumed that a principle so firmly established, and a practice so honorable to the people of this territory, and so long in existence, and so long continued to the satisfaction of all, would have the unanimous approval of a body of men so intelligent, so high minded, so liberal as those who compose this convention. I came here, I may say in all sincerity, with the hope that there would be no occasion for argument; that there would be no occasion for speech making, and I thought it was the wish among the members of this convention that this matter might go to vote without a word unless some proposition demanding our attention should be brought before the convention. The wrong done to the supremacy of women, a wrong begun in the dark ages, was somewhat tempered in the early times by the teachings of the great philosophers, and later was further tempered by the teachings of Christ, that living, working force in society, in which each found a masterly life, worthy of the Great Father of All. In American women rose with the revolution, with the struggle for independence, her services in which secured for her the gratitude of her countrymen, and the admiration of the world. Following this came increase of powers, the rights and privileges which she then enjoyed were increased, and one of the states, one of the original states gave her the right of suffrage from the year 1776 to 1807, when in a manner unworthy of man, it was wrested from her. The war of the rebellion, what examples did

it not present of the patriotism and heroism of our women; they were seen in the workshop, in the field of the husbandman, in the office, in the factory, where she toiled to make good the efforts of her husband, brothers, father and sons. How on the field of the dead and in the tent where she watched over the dying, what strength, what tenderness, she displayed. Today we find in the nations of Europe great progress in the interests of women, and in the furtherance of her rights. In Holland, in Sweden, in Austria, in Australia, the right to vote is ceded to her on the ground of a property holder, and in our own land have been made greater concessions. Wyoming stands at the front, she stands upon the summit of this pinnacle, in the progress of women. For twenty years the women of this territory have taken part with the men of the territory in its government and have exercised this right of suffrage equally with them, of the results of which we are all proud. No man has ever dared to say in the territory of Wyoming that woman suffrage is a failure. There has been no disturbance of the domestic relations, there has been no diminution of the social order, there has been no diminution of the dignity which characterizes the exercise of the elective franchise; there has been on the contrary an improvement of the social order, better laws, better officials, a higher and better civilization. We stand today proud, proud of this great experiment. Why then this extraordinary proposition? After so many years having exercised with us the right of the elective franchise, since the foundation of this territorial government, they are now to be singled out, to be set aside, and the question submitted to a vote of the people as to whether they shall have a continuance of the rights and privileges which have been given to them by the unanimous consent of the people of this territory, and which they have exercised wisely and properly, and as my friend says with profit to the whole territory. This extraordinary proposition to submit to a vote of the people this question of a continuance of what you may call, as has my friend from Sweetwater, a vested right. It appears to me, but I will not impugn the motives, for I agree with my colleague as to the motives of the gentleman who presented this proposition, I cannot question his motives in doing so, but I demand, as a matter of justice, that this proposition should be voted down with an overwhelming vote, and I would that the gentleman had never presented it. It appears to me this proposition cannot have been dictated by anxiety that this territory should suffer by a continuance of this right, and by putting this right into the fundamental laws of the territory, for the reputation which Wyoming has today has been won for her in the great field of woman's rights. It appears to me that it could not have been dictated by any fear lest the people of the territory should vote down the constitution if this provision is in it, for I know from my travels recent-

ly throughout the territory and from my travels in years past, that the great overwhelming majority of its people, male and female, in Wyoming, approve of her enjoyment of her rights as they stand under the law today, and would approve of it as an element of the fundamental law of the new state. Now, why; why, I say, if these gentlemen want this constitution adopted, why do they want to put this proposition to a separate vote of the people, when by that very action the constitution itself will be voted down? Again, I believe that this could hardly have been dictated by any fear that congress will reject our constitution because it embodies in it a guarantee of the rights of women, unrestricted in the exercise of her rights and franchises. Now I believe on the contrary that congress would welcome a constitution embodying a woman's rights platform, would welcome our constitution and our state into the union as the advance guard of liberty in the world. We are told if we put this proposition into our constitution as a fundamental law, by so doing we shall fail to secure the approval of our constitution by the people of Wyoming, and its acceptance by the congress of the United States, but if it should so prove that the adoption of this provision which is to protect the rights of the women of the territory, shall work against our admission, then I agree with my honorable friend from Uinta county, that we would rather remain out of the union until a sentiment of justice shall prevail. But I think, nay, I know, on the contrary, that one-half the members of the congress of the United States are in sympathy with this very principle, and would regard us as a more honorable people, as having done our duty and so respect us, if we incorporate this proposition as a fundamental law into the instrument which we send to them for their approval. I will not detain the house longer, Mr. Chairman, but I feel a deep interest in this matter, because it rises above the other questions which we are to consider, it is a question of rights, a question of human rights. We struggle with propositions on irrigation, on municipal corporations, on education, on railroads, corporations, and other matters, which are indeed important, but how trivial, how subordinate they are when brought into comparison with the great questions of the rights of humanity. Mr. Chairman, I feel for this territory of Wyoming, and for the people of Wyoming, an affection which I cherish for no other part of this round world, greater than I cherish for the state where I spent the prime of my life, greater than for the land of my birth, where as a happy child I played; here I have planted myself with my fortunes, all my present interests and future interests are here, here I have made by sacrifices, and I would not lose my respect for this people, this people whom I have loved, for whom I have lived, and so I make this last appeal, let us not only vote down this amendment which I am sure we shall do

by a large majority, but let us do it so completely, so overwhelmingly, so effectually, that the question will no longer rise. We hope to see planted upon this beautiful flag another star, let it be a star whose radiancy shall be undimmed by any act of abandonment or thievery on the part of one-half of the population as dealing with the other half, and as my friend said, the better half of our entire population.

Mr. BURRITT. I protest against the further use of the time of this convention in the discussion of this matter. If I understand the import of the motion that is before the house, the gentleman who made it, my friend from Laramie, Mr. Campbell, did not say that he opposed woman's suffrage, on the contrary he said he was in favor of it, and believed it was right, and would vote for it, but I understood he rose here to defend the right of petition. He has been requested to present to this convention a request of a small minority perhaps in the city of Cheyenne, or in the county of Laramie, among his constituents. They have presented here a petition asking us to submit this as a separate proposition. I had no idea when the gentleman presented it such a tempest in a teapot would be raised. The gentleman destroyed any argument that he made for it in favor of this amendment, which is really the question before the convention, by saying first that woman's suffrage as a principle is right; second, that he would vote for it if presented to the people. And he further said that he was not afraid in defending the right of petition to come before this convention and endorse this proposition to be separately voted upon by the people, and he was not afraid to do it even if it cost him the ladies vote, or any other class of votes in the community. That certainly is very courageous on the part of the gentleman from Laramie, and as one of the citizens of Johnson county, I am equally courageous, and I agree with him, and if there is any one man up in our county who wants to protest against woman's suffrage and will send down a petition, or anything of that sort to that effect, I will rise here and present and give opportunity for my single representative up there to be heard. But I will say this much in addition to that, which the gentleman from Laramie did not say, that as a member of this convention, and believing with my friend here on the right, that this right of suffrage is a vested right, and which it would be wrong and wicked for us to attempt to deprive them of, I have also the courage to rise above the single constituent that I have in Johnson county who is opposed to woman's suffrage, and I know but one, and to rise above the majority of the citizens of Johnson county, if I knew they were opposed to woman's suffrage, and to say that this convention and this state has as much courage as I have, and believing that woman's suffrage is right, this convention has the courage, and this state has the courage, to go before congress and the world with this suffrage

plank in its constitution, and if they will not let us in with this plank in our constitution we will stay out forever. I with the gentleman from Laramie, Mr. Campbell, defend the right of petition, and so far as that is concerned I stand with him, but when it comes to vote upon this question. I stand upon a higher and a broader platform, I stand upon the platform of right, and I advocate the continuance of the right of women to vote and hold office and enjoy equally with men all civil, religious and political rights and suffrages, and that it be incorporated as a part of the fundamental law of the constitution of this state, and if we cannot come into the union of states with a platform of right, why then we will stay out and willingly remain in a territorial form of government until all of us have passed away to the grave.

Mr. PALMER. I favor the motion of the gentleman from Laramie. There are a great many voters in the county I represent, Sweetwater county, who are opposed to the principle and idea of woman's suffrage, but still they would like to come into the union of states, and therefore they would like to vote on this matter separately. They will not vote for the constitution if it contains this woman's suffrage plank, and therefore I think it would be expedient if the members of this convention desire this constitution adopted that they give them the right to vote upon this matter separately. I don't think that this is the proper time to discuss whether or not woman's suffrage as a principle is just and right, but I believe that the people should have the right to vote upon this matter separately, so that the interests of the constitution itself shall not be jeopardized.

Mr. CHAIRMAN. Is the committee ready for the question?

Mr. CONAWAY. I had already occupied more of the time of the convention than I intended on this question, and I had hoped that the delegates from Sweetwater county would be unanimous in the matter, but I find that my fond hope is disappointed, and I must say that I cannot agree with my respected colleague, Mr. Palmer, in his view of the question. I do not think that there are many of our constituents who desire a separate vote upon this question, or that the passage of the constitution which we are to submit, would be jeopardized by incorporating this provision, but I did not rise now for the purpose of discussing that question at length, but to call attention to something which happened in our part of the territory. At the last election my respected colleague, Mr. Palmer, and myself were opposing candidates upon the two tickets, and it seems to me that the course he takes now implies great ingratitude, which has been called the basest of crimes. What I mean by this I will now explain. Without making a very active canvass in the matter, it happened that I was at the town of Rock Springs, during the latter part of the campaign, and while

there an elderly lady approached me and commenced talking about the election. Of course that made an opening for me to try and ascertain how matters stood in the town in respect to my own prospects, and I asked her the question how she thought I stood among the ladies of Rock Springs, and what proportion of the vote of the ladies I would get? "Well," said she, "I don't know how that will be, but there are so many of these girls," (she had arrived at that age when she called all unmarried ladies girls), "there are so many of these girls who will vote for your opponent simply because he is young and handsome."

Mr. PALMER. I would suggest that if that is the case, that this idea of woman's suffrage is all wrong simply for that very reason.

Mr. CHAIRMAN. Is the committee ready for the question? The question is on the amendment offered by the gentleman from Laramie county, Mr. Campbell, that this question so far as it relates to woman's suffrage, shall be submitted as a separate proposition, to the voters of the territory, and not embodied as a fundamental law in the constitution. All those in favor of the amendment will say aye; those opposed no. The chair is in doubt. All those in favor of the amendment will rise and stand until counted—8. Those opposed will rise and stand until counted—20. The motion to amend is lost. The question now recurs upon the section as reported by the committee. All those in favor of the report of the committee upon this question will say aye; those opposed no. The ayes have it; the motion prevails.

Mr. CHAIRMAN. The secretary will read Sec. 2.

(Reading of Sec. 2.)

Mr. CHAIRMAN. Any amendments to Sec. 2?

Mr. PALMER. I desire to offer an amendment to Sec. 2, by inserting after the word "every" the word "male."

Mr. CHAIRMAN. The chairman hears no second to the motion of the gentleman from Sweetwater; is there a second?

Mr. CASEBEER. I second the motion.

Mr. CAMPBELL. Now that the motion is seconded, I rise to a point of order. The point of order is this. You have favorably passed upon Sec. 1, in which it says "the rights of the citizens to vote or hold office shall not be denied or abridged on account of sex." Now I say this motion is out of order, for if you should put in that word "male" it would make two inconsistent sections.

Mr. CHAIRMAN. The chair will decide. The motion is to amend by inserting in the first line of Sec. 2 the word "male" after the word "every." The amendment of the gentleman from

Sweetwater is in order. This committee has the power to be inconsistent if it desires to be inconsistent. Are you ready for the question? All in favor of the amendment will say aye; those opposed no. The noes have it; the motion is lost.

Mr. BROWN. I now move that the substitute reported by the committee be voted on instead of Sec. 1 of the printed bill. The substitute will read: "The rights of citizens of the state of Wyoming to vote and hold office shall not be denied or abridged on account of sex. Both male and female citizens of this state shall equally enjoy all civil, political and religious rights and privileges."

Mr. BURRITT. Second the motion.

Mr. CHAIRMAN. Is the committee ready for the question that the matter just read shall be substituted for Sec. 1, I believe it is? All in favor of the substitute will say aye; those opposed no. The ayes have it; the motion is carried. The secretary will read Sec. 3.

(Reading of Sec. 3.)

Mr. POTTER. I did not know we were through with Sec. 2. I think there was no vote taken on Sec. 2, but only on the amendment offered by the gentleman from Sweetwater to Sec. 2.

Mr. CHAIRMAN. The gentleman is correct. The chair begs pardon for his mistake. The question is upon Sec. 2. Are you ready for the question?

Mr. POTTER. I move to amend Sec. 2 by striking out the words "six months" and inserting "one year." Is the committee ready for the question? All in favor of the amendment will say aye; those opposed no. A division is called for. All in favor of the motion will please rise and stand until counted—17. Those opposed will rise—9. The amendment is carried.

Mr. HOYT. I desire to offer a proposition which would be a distinct section, defining citizenship. As the term occurs frequently it seems to me that we should know what the term "citizen" means.

Mr. BROWN. It seems to me that we are passing over these matters altogether too rapidly. There are questions here that ought to be considered carefully, instead of rushing along at race horse speed.

Mr. CHAIRMAN. Is there any section which the gentleman wishes recalled? Sec. 2 is still before the committee.

Mr. BROWN. I will intimate the amendment which I wish to make. In Sec 1 we say "the rights of citizens of Wyoming to vote shall not be denied on account of sex." And in Sec. 2 we further say: "Every citizen of the United States of the age of twenty-one years and upwards who has resided in the state six months and in the county wherein such residence is located sixty days next preceding any election shall be entitled to vote

at such election." Now under this section everybody is entitled to vote, that is every citizen that is twenty-one years of age, etc., whether he is otherwise disqualified or not. Whether paupers, or insane persons, or whether convicted of crime, or whatever may have happened to them, under this section as it now reads, they are entitled to vote. I would like to ask whether that is the intention of the committee?

Mr. POTTER. Judge, that is provided for further on in this bill.

Mr. ELLIOTT. In order to have the sections entirely consistent, I move to insert at the end of Sec. 2 "except as herein otherwise provided."

Mr. CAMPBELL. Second the motion.

Mr. CHAIRMAN. The motion of the gentleman from Johnson is to amend by inserting at the end of Sec. 2 "except as herein otherwise provided." Are you ready for the question? All in favor of the motion will say aye; those opposed no. The ayes have it; the motion is carried. Any other amendments?

Mr. HOYT. I now desire to offer a proposition defining citizenship in this state. "All residents of this territory of the age of twenty-one years or over, born or naturalized in the United States, and subject to the jurisdiction thereof (except Indians not taxed and still living in tribal relations), being of sound mind, and unconvicted of crime, are hereby declared to be citizens of this state." This fixes the question as to who are or are not citizens.

Mr. CHAIRMAN. How does the gentleman from Albany sire to have that attached to Sec. 2, or desire it to appear as a separate section, to be known as Sec. 2, renumbering the following sections?

Mr. COFFEEN. Why not make this definition still more definite, and say all residents of this territory whether male or female.

Mr. CHAIRMAN. Does the gentleman from Albany desire to have this come in? As a separate section?

Mr. HOYT. That was my idea about it, that it should stand as a separate section. Sec. 1 perhaps.

Mr. CHAIRMAN. Sec. 1 has already been adopted. It would be necessary to change the numbers.

Mr. HOYT. It seems to me that the definition of citizenship should come in before anything else.

Mr. CHAIRMAN. The amendment which the gentleman from Albany desires to have inserted as Sec. 1, and the other sections changed to correspond, is now before the committee. Are you ready for the question?

Mr. CAMPBELL. I think if the gentleman will consider a minute he will find there is an inconsistency in his amendment. There is a well defined difference between the meaning of the words citizen and resident. A man can be a resident of one

state and a citizen of another, and a resident of one place, but still a citizen of another place. Now you have both these words in here, without making it clear which is meant, whether a resident shall be a citizen or a citizen a resident.

Mr. HOYT. I would ask whether the word person would cover the ground clearly and satisfactorily?

Mr. CAMPBELL. Now there is one thing more in that resolution to which I want to call attention. The language in relation to persons convicted of crime. Now it is well known in law that a conviction means a judgment upon the verdict of a jury. A jury may return a verdict of guilty and the judge pronounce sentence upon that verdict. Now that is a conviction. An innocent person may be convicted, the jury return a verdict of guilty and the court pass sentence upon him. Future investigations may show him entirely innocent of the crime with which he is charged, and if you put that clause into the constitution as it now stands there is no power residing in the courts or in the legislature to restore that man to citizenship, and yet he is entirely innocent, but as that section now stands it would deprive him forever of enjoying the privileges of citizenship within the state of Wyoming, because he had been convicted of crime.

Mr. BROWN. How would it do to add the words "unless restored to citizenship according to law," after the words "convicted of crime."

Mr. BAXTER. I am entirely in sympathy with the object that Governor Hoyt is trying to reach, but it seems to me that there is a repetition of what we already have here, and that it is unnecessary. There should be no question, and there can be no question as to a woman's being a citizen of the state; it has been passed upon by the courts. Some decision I had access to a day or two since, I forgot the style of the case, as to whether or not a woman is a citizen of a state, the decision held by the court that inasmuch as any citizen can sue another, and that they must clearly establish their citizenship in the state before they can come into court, and inasmuch as women throughout the limits of the United States are frequently parties in a suit, it naturally follows that she is a citizen of the state or she could not come into court. There is no question in the world as to a woman's being a citizen of a state, but citizenship does not carry with it the right to vote. That is not one of the rights of a citizen primarily. In Sec. 1 we provide that every citizen shall be entitled to vote. Now the term every citizen must necessarily include women, and it seems to me it is unnecessary to insert the words male and female in this section. If, however, it is thought necessary to incorporate that section I am in favor of it.

Mr. HOYT. In explanation of the amendment I will simply say that unless I am incorrectly informed the decision of the

courts in Washington territory on this point was to the effect that a woman is not a citizen. The question of citizenship was the very question which disenfranchised the women of Washington territory, the courts holding that she was not a citizen.

Mr. CAMPBELL. Women can be naturalized, and in taking up land in Wyowing they are obliged to declare that they are citizens.

Mr. CHAIRMAN. Any further remarks? The question is upon the amendment offered by the gentleman from Albany, Mr. Hoyt, to make this Sec. 1, renumbering the following sections. Are you ready for the question?

Mr. COFFEEN. I do not wish in any way to appear as opposing the amendment of the gentleman, which I believe is just and right, and I do not think we should be afraid of expressing in this constitution just such things as that. But it seems to me that we ought to have that clause in which provides that persons convicted of any crime may be restored to civil rights, and if the gentleman will insert that I will gladly support his amendment.

Mr. POTTER. It seems to me that we are treading on very dangerous ground. I think the definition of the term citizen is pretty well understood at present, and that if we attempt to define it here we are going to get ourselves into trouble. Circumstances may arise which we cannot now foresee, and it seems to me that we had better leave this whole question of citizenship alone and not attempt to define it, or incorporate it into our constitution.

Mr. COFFEEN. In connection with what the gentleman has said who has just spoken, I want to ask simply this question: Does this article, without the amendment of the gentleman from Albany, defining who shall be citizens of this state, does this article in any place declare who shall be citizens of this state? If it does not declare it, it occurs to my mind that we ought to declare it; but if this proposition is not the proper one, if it is already declared in the fundamental laws of the United States who is a citizen of a state, then I agree with the gentleman who has last spoken.

Mr. TESCHEMACHER. I would like to call attention to the race horse speed to which my friend Mr. Brown referred. We have just been two hours considering two sections, that is one hour to the section. That is not what I call race horse speed. Without any disrespect to my friend Governor Hoyt I think we might as well attempt to define the first letter of the alphabet, what the letter A is, as to try and define what a citizen is. If we declare what a citizen of the state is it is going to be taken right up by the courts, and the United States has already decided what a citizen is, and it will make no difference what we declare. It seems to me entirely unnecessary and a waste of time.

Mr. PALMER. I would like to call attention to Sec. 6 of this file. I presume after reading that section exempting certain persons from the elective franchise, it will be seen that all persons excepting those named in that and the subsequent sections, are entitled to vote, and that it is unnecessary to have this amendment of the gentleman from Albany, attempting to define citizenship, a matter that has caused a great deal of discussion from the earliest days down to the present time. I don't think we are in a position to make any such definition.

Mr. CHAIRMAN. The chair understands that the rights of the women of Washington territory turned entirely upon this question whether she was a citizen or not, and it was because she was not a citizen under any provision of the law that she was excluded from the right of suffrage and it seems to me that while we are about it that we should make this matter entirely safe, and I do not think as the proposition now stands that it is entirely safe.

Mr. POTTER. Are you going to disenfranchise all the children of this state? This says all persons born or naturalized in the United States, of the age of twenty-one years or over. I should like to know if that does not disenfranchise the children?

Mr. BROWN. I would like to ask the gentleman from Laramie, Mr. Potter, a question. I ask that he read the section that we have adopted and say whether in his judgment as it stands it really gives to the women of this territory the right of suffrage? The section as we have now adopted it, and in order that he may understand it, I will read it again: "The rights of citizens of the state of Wyoming to vote and hold office shall not be abridged or denied on account of sex." So far it does not give the right of suffrage to anyone. Let us read further. "Both male and female citizens of this state shall equally enjoy all civil, political and religious rights and privileges." If this section ended with the word "rights" it would give to no woman in the territory of Wyoming any possible right to vote. The right of suffrage is a privilege and not a right at all, and has so been passed upon over and over again. Now the question is whether using the word privilege in that section does in fact give women the right to vote. I am not clear about it myself, and while we are doing these things and mean to give women this right, let us not be uncertain about anything. I am in favor of the proposition presented by the gentleman from Albany.

Mr. POTTER. I referred to the fact that this amendment does not include children. I will read what the supreme court of the United States has to say on this subject: "A child is from its birth a citizen of the state, etc."

Now my position in regard to this matter is simply this: I don't believe this amendment is necessary, and not being necessary, we are liable to get into some trouble about it.

Mr. CAMPBELL. I want to make an explanation before the vote is taken on this proposition. I am in favor of no person voting unless he is a citizen of the United States. Mr. Clark, of Uinta, has decided views on this subject, he believing that a naturalized citizen should have the right, and I think he would like to be heard in the convention on this subject. As he is absent I will pair with him on that subject.

Mr. CHAIRMAN. Any further remarks? I have no desire to hurry matters, but desire to protect every interest, as I think it a matter which should be carefully considered.

Mr. HOYT. I should be very glad to withdraw my amendment if there is any one here who will offer a substitute which will cover the ground perfectly and satisfactorily to all.

Mr. CHAIRMAN. Does the committee desire to proceed, or desire to report progress and ask leave to sit again? The question on the amendment relative to citizenship is still before the committee. Do you desire to move upon that question?

Mr. BAXTER. I don't know whether I am entirely prepared to vote upon the question or not. I want to sustain that amendment if it is necessary. If it is to be a useless repetition I don't think we had better incorporate it into the constitution. I am very much surprised at Judge Brown's declaration as to just what is covered by Sec. 1 as adopted. I have taken some pains to consult with several attorneys in the last few days, and they have all assured me that Sec. 1 as printed here, and which I understand was the first report of the committee, was explicit and could not be misunderstood, and I favored the adoption of the section as originally suggested, and which has been embodied in the report of the committee, simply because it seemed to me the wisest, safest thing that we could incorporate, and that it would unquestionably give to women the right to exercise the elective franchise, but the expression of Judge Brown, in whose judgment I have the greatest confidence, rather shakes my confidence in the advice heretofore received, and simply illustrates the fact that lawyers will differ upon almost any proposition that can be submitted to them. But I would like to hear from the balance of the legal fraternity as to whether or not it is necessary to define what shall constitute a citizen of the state. I had heretofore been assured so unquestionably that no question could arise as to a woman's being a citizen that the proposition already adopted seemed to cover the ground. But if it is not sufficient we ought to make it so.

Mr. HOLDEN. Mr. Chairman, I agree fully with the gentleman from Laramie, Mr. Baxter, that if that Sec. 1 does not secure to women the right to vote that we should not fail to

secure that right before we have done with this section. Now while I would not cast my opinion in the balance against the opinion of the able and learned gentlemen in this convention, still it seems to me that this section does secure that right and for the reason that Article XV, Section 1. of the constitution of the United States, says that the right of citizens of the United States to vote shall not be abridged or denied on account of race, color or previous condition of servitude. Now I would like to ask this convention if the word sex had been placed in that section would not the right to vote been secured as it has been secured to millions of enslaved men, secured to women to vote? Now if the language of that section secures the right of suffrage to the colored race throughout the length and breadth of America, the question that presents itself to my mind is this: Does not Sec. 1, which is now under consideration, secure to women the right to vote in Wyoming territory? If it does then there is no necessity for adding anything to it. If it don't I should like to hear the fullest discussion upon this question, for I have not changed my opinion expressed a few moments ago, that we would remain under a territorial form of government throughout the endless cycles of time than surrender the right which my wife and sisters have so long enjoyed, and as Judge Brown said a few moments ago, if we are going to do this thing at all, let us not do it half way, but let us give it to them so there will be no question about it.

Mr. PRESIDENT. The chair would like to ask of some gentleman who knows whether the fifteenth amendment, providing that the right to vote shall not be denied on account of race, color, etc., did not need congressional action to carry it into effect?

Mr. BROWN. Yes.

Mr. CAMPBELL. That amendment is only prohibitory upon the states. It prevents the states enacting laws and doing certain things prohibited by that amendment.

Mr. FOX. I have listened to the discussion of this subject with a good deal of interest, and have read this article through from beginning to end, and I fail to see that this article tells in any place what a citizen is. It tells what a citizen may do, that they shall have certain rights, but what is a citizen. We are forming a constitution for Wyoming, and I think the resolution is proper, and I think it should be the first section in this special article to tell what a citizen of this state is. I think that resolution ought to be fixed in such a way that all natural born children are citizens of the United States; there don't want to be any question about that.

Mr. TESCHEMACHER. I would like to ask the gentleman a question. Mr. Fox, what is a state?

Mr. FOX. I don't know.

Mr. TESCHEMACHER. What is the use of trying to define what a citizen of a state is when we don't know the meaning of the word state.

Mr. FOX. I don't claim to be a dictionary.

Mr. TESCHEMACHER. That is just what we don't want this constitution to be.

Mr. CHAIRMAN. The chair would like to make a remark if permitted by the committee. The question of male suffrage will never be questioned, no matter what we put in this constitution. But the question of female suffrage and citizenship has been questioned by the supreme court of Washington territory, and it is to avoid these difficulties that we should define in this constitution what a citizen of Wyoming is.

Mr. SMITH. The question is discussed here as to the rights of the two sexes. As Judge Brown has said the simple fact that we have stated here that the right of suffrage shall not be denied on account of sex, of course, conveys the right to vote to no one. It does not convey the right of suffrage upon any male citizen; it simply says that you shall not discriminate against one-half of the people of Wyoming in favor of the other half. Is not that everything. The amendment that was attached to this section was one of the original propositions presented to the committee, but the committee did not think it was necessary to put it into this article. There were some of the members who were not satisfied because this was cut out, and when this supplemental report was made it was added to this Sec. 1, but the section was just as good without it. Now as to the amendment; I don't say that there is any particular harm in it, but emergencies may arise, and if you insert this amendment in your constitution it will be impossible to get around them. It seems to me it would be very dangerous to incorporate it.

Mr. HOYT. Will the gentleman state whether the information about Washington territory is correct?

Mr. SMITH. I don't exactly understand what the ruling in Washington was, but it was under the territorial government, and it was under some construction of the territorial statute that they had there taken into consideration in connection with the organic act. No matter what the decision was it was under the territorial laws and not under any provision of the state constitution. I have never seen the decision itself but only saw notices of it in the papers at the time, but it was done under the act conferring the elective franchise and in connection with their organic act.

Mr. HOYT. My information is that it all turned on the meaning of the term citizen.

Mr. FOX. I take it that the United States constitution settles this matter. Article XIV says: All persons born or nat-

uralized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside.

Mr. HOLDEN. Pursuing the thought suggested by the gentleman from Albany, I desire to call the attention of members of this convention to Sec. 2 of the same article, in which the right of suffrage is there secured to male citizens of the United States of America. The question I ask is the same one I asked when on the floor a few moments ago, if the word "male" did not occur in that section, would not every woman who is a citizen of the United States have the right to vote now, the same as you or I have?

Mr. CHAIRMAN. Any further remarks upon the amendment offered by the gentleman from Albany? Is the committee ready for the question? All in favor of the amendment will say aye; opposed no. The noes appear to have it; the amendment is lost.

The secretary will read Sec. 2.

Mr. RINER. I believe we have not a quorum of the convention present. I rise to a point of order.

Mr. PRESIDENT. The secretary will read Sec. 3.

Mr. TESCHEMACHER. I must raise this question of a quorum. The committee of the whole must have a quorum as well as the convention, and there is not a quorum present.

Mr. CHAIRMAN. The chair is of the opinion that the question of a quorum cannot be raised in committee of the whole. It is an irresponsible body. The chair will so rule. Are there any amendments to Sec. 2. The chair hears none. The section is agreed to. The secretary will read Sec. 3.

(Reading of Sec. 3.)

Mr. CHAIRMAN. The chair desires to take back his decision made a moment ago; a majority is required in committee of the whole the same as in the convention. Does the gentleman wish to raise the question of a quorum?

Mr. TESCHEMACHER. I think we are considering the most important section that we shall have to consider, the right of the elective franchise in this state, and I think it very necessary that it should be considered by a quorum of the committee of the whole, and I therefore move that this committee do now rise.

Mr. CHAIRMAN. I will just say that committee of the whole is a pretty informal sort of a body, and if the gentlemen don't take interest enough to be here we can't force them to be present. The question is on the motion that this committee now rise, report progress and ask leave to sit again. All in favor of the motion will say aye; those opposed no. The ayes have it; the committee will now rise.

Mr. President:

Your committee having had under consideration File No.

67, on elections and right of suffrage, report progress and ask leave to sit again.

E. S. N. MORGAN, Chairman.

Mr. RINER. I move a call of the house.

Mr. TESCHEMACHER. Second the motion.

Mr. PRESIDENT. A call of the house is ordered. All in favor of a call of the house will say aye; those opposed no. The ayes have it; the sergeant-at-arms will bring in all absent members.

(Sergeant-at-arms brings in absent members.)

Mr. RINER. As there now seems to be a quorum I move that further proceedings under the call be dispensed with.

Mr. TESCHEMACHER. Second the motion.

Mr. PRESIDENT. Gentlemen, it is moved and seconded that further proceedings under the call be dispensed with. All in favor of the motion will say aye; those opposed no. The ayes have it; the motion prevails.

Mr. RINER. I move that the convention now go into committee of the whole for the consideration of the report of Committee No. 5.

Mr. FOX. Second the motion.

Mr. PRESIDENT. It is moved that we now go into committee of the whole for consideration of the report of Committee No. 5. If there is no objection before taking the vote on this the sergeant-at-arms will see that the doors are closed and kept closed so that we may have a quorum. There being no objection it is so ordered. The question is now on the motion to go into committee of the whole. All in favor of the motion will say aye; those opposed no. The ayes have it; the house is now in committee of the whole. Will the gentleman from Johnson, Mr. Burritt, take the chair?

Mr. REED. I move to suspend Rule 4.

Mr. CHAIRMAN. The motion is out of order. The secretary will read Sec. 3 of the report of Committee No. 5, on suffrage.

(Reading of Sec. 3.)

Mr. POTTER. It has been called to my attention that according to the wording of Sec. 2 it is possible at our first election no one could vote, if this section is adopted with the word state in there. I have noticed in other constitutions the word territory is used. Of the age of twenty-one years who has resided in this territory six months and in the county one year, etc. I therefore move to strike out the word state and insert the word territory.

Mr. CAMPBELL. Second the motion.

Mr. PRESIDENT. It is moved to amend Sec. 2 by striking out the word state and inserting in lieu thereof the word territory. Are you ready for the question? All in favor of the

motion will say aye; those opposed no. The ayes have it, the motion prevails. The secretary will read Sec. 3.

(Reading of Sec. 3.)

Mr. CHAIRMAN. Does the gentleman desire to submit any amendment to this section? If there is no objection it will be considered approved by the committee. The section is approved.

(Reading of Sec. 4.)

Mr. CHAIRMAN. Does the gentleman desire to submit any amendment to Sec. 4? If not it will be considered approved by the committee.

(Reading of Sec. 5.)

Mr. CHAIRMAN. Any amendments to Sec. 5?

Mr. HOLDEN. I desire to offer an amendment to this section, that the words "that this section shall not take effect until July 1st, 1894," the same as is added to Sec. 9 of this file. I think, Mr. Chairman, I don't desire to discuss this matter, but it seems to me that inasmuch as we propose to give a little time to some people, perhaps it would be best to give it to all.

Mr. CAMPBELL. I was just going to suggest that inasmuch as you having deemed it wise to give citizens of the state of Wyoming an opportunity to learn to read, it might be right to give them a chance to be come of age.

Mr. HOYT. I would ask that Sec. 10 of the supplementary report be read.

(Reading of Sec. 10.)

Mr. FOX. I would like to make an amendment to Sec. 5, by striking out the word "full" in the second line. We don't want any half full men, or any full men electors of this state.

Mr. POTTER. Second the motion.

Mr. BROWN. I agree with the gentleman from Albany on the suggested amendment, but not for the same reason. I don't think there are any citizens of Wyoming that get full.

Mr. CHAIRMAN. The question is on the amendment to strike out the word "full" in the second line. Are you ready for the question? All in favor of the motion will say aye; those opposed no. The ayes have it; it is so amended. Any other amendments?

(Reading of Sec. 6.)

Mr. CHAIRMAN. Any amendment to Sec. 6? There being no amendments the section will stand approved by the committee. The secretary will read the next section.

Section 7.

Mr. CHAIRMAN. Any amendments to Sec. 7? If not it will be considered as approved by the committee. It is so approved. The secretary will read the next section.

Section 8.

Mr. CHAIRMAN. Any amendments to Sec. 8? There being none offered, it will stand approved. The secretary will read the next section.

Mr. CAMPBELL. I move to amend by striking out the whole of Sec. 9.

Mr. FOX. Second the motion.

Mr. CHAIRMAN. The motion is to amend by striking out the whole of Sec. 9. Are you ready for the question?

Mr. BAXTER. I move to amend the amendment by striking out the last sentence of Sec. 9, and add to the section as it will then stand "who shall be a citizen of the territory at the time of the adoption of this constitution."

Mr. POTTER. That last amendment is already provided for.

Mr. BAXTER. As that seems to be provided for I move to strike out the last sentence. "This section shall not take effect until 1894."

Mr. CHAIRMAN. Any remarks?

Mr. CAMPBELL. I desire to hear from some other members in relation to this matter. I know several members who are opposed to it, opposed to it as a matter of principle, and I had hoped inasmuch as I had given an opportunity for us to hear from those gentlemen who are opposed to this section, so that we could get before the convention the reasons of the opposition, and as I have waited to give some person an opportunity to get up and explain why he is opposed to it, and as no one made the motion I will ask permission to state my reasons for one seems to desire to get up here, and inasmuch as I have opposing this measure. As stated here this morning by a member of this convention, that the right to vote is a right, or a privilege, it don't make a particle of difference so far as the principle is concerned. I don't believe it is a right, and everyone who has ever studied the matter knows that the right of voting is a I merely mention this matter of the right to put some of these gentlemen who made this report and claimed it was right, to stand up and be consistent on this proposition and vote by their convictions in the matter. Several gentlemen who have signed this report and claimed that the elective franchise is a right should stand up for the right and sustain the notion now made to strike out this section, and why? If it is a right, you cannot limit a right. If it is a privilege you can limit a privilege. If it is a right no educational qualification should in any way interfere with the right; if it is a privilege, of course you can limit it. But the opposition to this section stands upon broader grounds in my estimation. Every citizen of the United States whether he can read or write is obliged under the constitution and laws, to protect the government and the laws when that government and those laws are in danger. There is no restriction when

it comes to the question of protecting the government from a foreign foe, or from internal insurrection, every man whether he can read or write is bound to come to the protection of the flag when in danger, and as old Abe Lincoln said, when he recommended a certain man for a lieutenancy, and he knew that certain officers upon the board would object, because he was not quite as well educated as they, he says: "I want this man put in this position because he is a fighting man, and I don't care whether he can read the alphabet or not." He did not care whether he could read or write, the man was fitted for that position, and could fight for his country, and he did not want to make any distinction as to the place that man should occupy. If a man is obliged to come to the protection of the government, it would be a national disgrace to us, if that man does come to his country's assistance, gets wounded, loses an arm or a leg, and goes back home crippled for life, that we should deprive him of the right to say who shall govern his country hereafter, simply because he cannot read. I suppose, gentlemen, there are certain persons in this territory who fought in the late rebellion, who fought courageously and well, and yet you would deprive him of the right of voting for the governor and other officials of this territory, and yet you would give to the meanest carpet bagger the right to cast his vote over this man, simply because he cannot read. Again, another ground suffrage is based upon is taxation, and even the strongest advocates of a property qualification have never yet been able to get around this, that if you tax a man to support the government they shall have a right to say who shall levy the tax, and who shall disburse the revenue after the tax is levied. Now here are persons in this territory who have been here for years, or who may hereafter come here, they acquire property, they may acquire thousands, millions of dollars worth of property, they may turn thousands of dollars into the treasury to help carry on its affairs, and yet you will deprive these men, simply because they cannot read or write, of the privilege of saying who shall levy these taxes, and who shall disburse this revenue. As long as you ask him to fight for his country, as long as you ask him to pay the expenses of the government, it is a tyrannical measure that will say to that man, you shall have no voice in the affairs of your country, you can shed your blood, you can put your hand in your pocket and contribute to its support, but there you must stop, you put upon him all the duties and none of the privileges whatever. Nor, Mr. President, is this all. Experience and observation, at least my limited experience and observation, go to this extent, that it is not the uneducated man who is the ignorant man by any means. The man who cannot read or write, and I have known several, and I know a few in this territory, and I have never yet seen a man in this territory that could not read or write but

was an intelligent man, and understood what was going on. Again, it is not the ignorant man who sells his vote, by any means. I challenge any man in this convention, or any man in the territory of Wyoming, to say that the selling of votes, the bribery at elections is confined more to the ignorant man than to the educated man. It is not the ignorant man who sells his vote, it is the man who can read and write who sells his vote. You take an ignorant man and he prizes this privilege of voting, which is the only thing he has, and you cannot buy him. Of course, gentlemen, there are exceptions there are exceptions to all rules, and you may find some here and there, but I say the percentage is larger, in proportion to the number, among educated people than among ignorant people. Now, as a matter of policy, I say right, that for the party to which I belong in this territory, and from which I have received some emoluments, as a matter of policy, it would be better to have this matter stand right where it is. Every man upon this floor knows where the ignorant vote goes, and it will be an immense thing for our party if this provision is left in. Now, wrong in principle, though, and I am opposed to it, and it would be a great detriment to the territory if this should be incorporated as one of the fundamental laws of the state

Mr. BROWN. I have a few words to say upon the proposition to strike out this section. The argument of my friend is the argument often made in favor of universal suffrage. I have said once on the floor of this convention, or committee, that the right of suffrage in my opinion is not a right but a privilege, and I propose to be consistent in that declaration through all. Now considering it a privilege, it is one that we, as a people, may bestow upon such classes of citizens as we see fit. The question then is, as a matter of privilege, how far shall the elective franchise be allowed to extend, and how broad shall be its scope. It is a dangerous question, it is one that has received a great deal of discussion, but this I think will be accepted as a truth by nearly all, that there must be, tion placed upon the elective franchise. The property restriction has been tried in the state of New York and in some other states. In the state of New York, in good old Democratic times, they tried the property qualification as a Democratic measure, and it was found after a few years trial not to be wise, and was cast aside as one of those qualifications that did not work well, in the interests of the government. The educational test is proposed in our constitution as one that may guide and control this question of suffrage. It has been claimed by many, and I think rightly and properly claimed, by gentlemen living in the south, that when our government gave to the black man of the south the elective franchise that they endangered the prosperity of the states lately in rebellion.

What has been the result of the experiment? I may say, I think without fear of contradiction, that universal suffrage in the south has not worked to the highest good and welfare of that country, and if there is any objection to be urged against the measure that gave universal suffrage to the people of that country and of those states, it is based, and must be based, upon the sole proposition of their ignorance. It is bringing into political affairs a man of ignorance that might endanger the welfare of that country. If it is true in the south, for the experience of twenty years has shown that this mass of ignorance armed with the elective franchise, endangers the prosperity of that country, it is time for us to think about it seriously, and to determine whether we will allow the mass of ignorant people of this country to exercise that right, or that privilege, more properly speaking. My friend speaks of the old soldier. I don't believe he has been speaking here in order to gain some political aggrandizement, and yet when Sec. 6 was read, by which insane persons, idiots, persons convicted of crime, unless restored to civil rights, are excluded from the elective franchise, my friend was not heard to object, and yet if you are to say that the ignorant man because he was an old soldier, or was wounded in the defense of his country in its time of need, is to exercise this right, or this privilege, of the elective franchise, then say he shall not be debarred of it because of crime.

Mr. CAMPBELL. Do you class ignorant people with idiots and persons convicted of crime?

Mr. BROWN. I simply say that this argument is not consistent, and he sees it himself. When he says that because a man has fought for his country he is entitled for that reason alone to the elective franchise, then he destroys his argument by having voted to adopt Sec. 5, and there is no getting away from it. How then does this matter stand? We are not to say that a man shall be entitled to the elective franchise because he has fought in behalf of his country, but we are to say to him that he shall have that right if perchance he is such an one as can exercise it intelligently. I agree with my friend that there are many men who are unable to read and write, who may exercise the elective franchise as well as, and with as full an understanding perhaps, as some of the best educated men in this country, but when you say that it is true as a rule, you say that which I think cannot be sustained. As a rule it is not so; that there are exceptions to the rule no man doubts. No man of any experience among men but can say that he has seen men who although they could neither read nor write yet could exercise this elective franchise intelligently, but they are few. It is the mass of ignorance that we seek to cut off from exercising this right. I

say that whether there shall be any restrictions upon the elective franchise except in cases of idiots, insane persons and persons convicted of crime, I say this is a serious question for us to consider, but my own belief is, and speaking for myself solely, I believe that such a provision as is reported by this committee will result in good and benefit to the future state.

Mr. MORGAN. I favor the motion to strike out this section for the reasons given at some length, by Mr. Campbell, and also because I think it is entirely unnecessary and would not accomplish that which the proposition intends to accomplish. In the first place the greatest incentive to education exists now. That man that cannot read, and has had the misfortune in his early youth to be deprived of this privilege, and because he above all must realize the importance of education, and he desires above all things that his children shall be educated at least in the common branches. I have talked with just such men, and learned from them how much they regret their lack of education, and what sacrifices and what hardships they have endured that their children might have a better education than he. In this territory we are in no danger of being overpowered with a mass of ignorance, we have today the least percentage of illiteracy of any of these United States, the danger is not one we shall ever feel, and why then should you attempt to discourage a man by depriving him of the right to vote, or of any other privilege, because he has never learned to read or write, and because he is struggling to overcome that misfortune in his successors; it seems to me to be unwise and unright, and would not accomplish the purpose, and I think it should not be inserted in our constitution.

Mr. HOLDEN. Mr. Chairman, I desire to say a word or two in behalf of the old soldier. He seems to have enlisted the sympathies of my friend from Laramie to a marked degree. It so happens that I was an old soldier. Early in the year 1861 when I felt that my country demanded my services, I left my wife and baby and went to the front. And I remained there until 1864. On the 20th day of December, 1862, I, with about 1,500 others, was at Holly Springs in the state of Mississippi, at the time that place was captured and sacked by the rebel forces under Van Dorn. In view of the fact that they were not able to imprison us, we were all parolled, and while this work of parolling was going on I heard one officer say to another: "Is it not strange, these men all signed their own names?" And I take it, sir, that the men who went out early in the sixties, not because they wanted their little \$13 a month but because they felt it their duty as citizens of the United States, not only to give their time, their labor, but if necessary to sacrifice their lives for the salvation of this country in

which we live, and I take it, sir, that the men who were thus actuated by these motives were sufficiently intelligent to read the ballot put before them, and there need be no fears on their account. It may be that those who went out later in the fight, it may be that some of those can't read, but I take it that a majority of all the soldiers in the late rebellion can read and write. Again in conversation a few days ago with an official of the general government, he said that during his official career here among the people of Wyoming, where it had been his duty to administer an affidavit to more than twenty thousand of the citizens of this territory, that in all that number there were only twelve persons who had found it necessary to make their mark to the affidavit that they had executed. I think there will be no great trouble about this on the ground of the soldier, but here is a point which we wish to reach. People living along the line of the Union Pacific railroad know that prior to every general election held in this territory, the clerk of the district court will take his seal under his arm, and a bunch of blank naturalization papers in his pocket, and go around to these mining towns and enfranchise a class of people who are unable to read the ballot placed in their hands, and then on the day of election these people are rounded up and voted like so many cattle. Now, Mr. Chairman, what we propose to do is to protect the men who bear the burden of taxation throughout the territory from this sort of thing.

Mr. SMITH. In listening to the remarks of my friend from Laramie, Mr. Campbell, he said a good deal that sounded well, that sounded patriotic, and it did me good to hear him talk in that way. Most of what he said was true, but he did say some things that a great many people will not believe, particularly the remark that as a rule you will find persons that cannot read are as intelligent as persons who are educated. There are people who will not believe that. I know that there are men who cannot read who are intelligent, but that is not the rule. Now as to this question of the elective franchise being a right. It is true that when laws are enacted conferring the elective franchise upon certain persons it becomes a law by virtue of the law enacted, but it is not an inherent right. Without the law it is no man's right, and simply becomes a right when given by law, whatever that law may be. Now then the duty of the law making power is to make laws which will be for the best interests of the whole, and in doing this you may do some injustice to an individual here and there. My friend from Uinta refers to a certain class that are voted as cattle, but that element is not composed of American citizens, and where you find American citizens you find few who can't read and write. The number that would be disenfranchised by this section will be comparatively quite small. The old sol-

dier has also been referred to by my friend from Uinta. I remember in the regiment I belonged to out of a regiment of nine hundred, there was but one man who did not sign his name to the pay roll, and that man was not an American citizen, so if we adopt this section we would debar few American citizens from the right of suffrage, and in doing so you protect them from the vote of that element which it has been said are voted almost like cattle. I believe it is for the good of the whole and for the best interests of the whole, that we place this restriction here as a part of the fundamental law of the state.

Mr. CAMPBELL. I don't know whether I fail to make myself clear in these matters, or whether it is because the persons who speak after me have not a very clear understanding. Now in relation to the old soldier business, I was not a soldier myself, could not have been, because I was not old enough, but I merely cited that as an illustration. Now in relation to the statement that all old soldiers can read and write, I want to say that in the neighborhood I came from three brothers, all citizens of this country, born and raised here and their father and grandfather before them, they all were old soldiers, one lost his limb before Richmond, and none of these boys can read or write, and yet they are as intelligent citizens as we had in that township. I merely cited that as an illustration to illustrate the principle. My friend Judge Brown asks why I did not oppose the section in reference to insane persons, and idiots. I will answer that I am not yet the inmate of an insane asylum, and furthermore I will now ask him, and I did ask him the question, but he did not give a square answer, I asked him if he put insane persons, and idiots and persons convicted of crime upon the same level with men who cannot read the constitution of the United States? I said and I repeat it that men who cannot read the constitution of the United States are not ignorant men. If you place them upon the same plane as my friend Judge Brown places them, then you place the signers of the Magna Charta on the same plane with insane persons, idiots and persons convicted of crime. If he will examine a copy of the old Magna Charta, which was wrung from King John, he will find that two-thirds or three-fourths of these honest old Saxon yeomanry signed their names with a mark. Now, we have here this morning an argument participated in by several gentlemen of this convention, about the meaning of a certain term, the word citizen, and that goes to show how a man may be able to read the constitution of the United States and not understand a word of it, without knowing the meaning of a word from beginning to end, and yet you say simply because a man can read the constitution of the state, while he may get it

parrot like, he may go to the polls, and the constitution is placed before him, he has committed it to memory, and can read it off word for word, and not understand a word, you say to that man he can vote, but the man who is intelligent upon every subject, and could understand the meaning of the terms, he shall be deprived of the privilege of voting because he cannot read and write, but you give it to the man who can read the constitution parrot like.

Now, in answer to my friend from Uinta who spoke about the clerk of the court going round with his book under his arm. He can naturalize an intelligent man just as well as an ignorant man, and I don't see any argument in that point whatever. The clerk of the court don't make any distinction between men who can read the constitution of the territory of Wyoming and men who can't. He goes around to make votes for himself and in order to make a little money for himself. If there is such an evil as that the legislature can cure it. If it customary for clerks in the western part of the territory to do this sort of thing it has no bearing upon this question whatever. I repeat what I said when I started out that if you tax a man and compel him to bear a portion of the burdens of citizenship, then that man should have the right to vote, should have the right to say who shall govern the state and what the laws of that state shall be.

Mr. CONAWAY. I desire to remind the committee of the whole that the senate committee on arid lands will be here at 1:30. By action of your convention, and your committee last night, they are at once to be brought to this convention and introduced to your chairman. It would certainly be very wrong, to say the least, to have that committee introduced to empty benches, and I would remind the committee of the whole that it is now twenty-five minutes to one.

Mr. PALMER. I desire to protest against the motion of Mr. Campbell. It is a very sad thing, and a very mortifying thing to an American citizen to be present at an election and see intelligent men and women go up to the ballot box and cast their votes, and have a lot of ignorant fellows, who know nothing whatever of our institutions, go up and offset their votes. That is the way the elections are in the town of Rock Springs, where I happen to reside. I say that it is an outrage that these men who know nothing and care nothing about our institutions, should be allowed to cast their ballots and render neutral the ballot of an intelligent man.

Mr. BAXTER. I am informed that the senate committee will be here at half past one, they will require thirty minutes or more for their luncheon before coming up here, and I hard-

ly think this convention will sit without adjournment until after two, I move therefore that we now arise, report progress and ask leave to sit again.

Mr. HARVEY. Second the motion.

Mr. CHAIRMAN. It is moved and seconded that we now rise, report progress and ask leave to sit again. All in favor of the motion will say aye; those opposed no. The ayes have it and the committee will rise.

Mr. President:

Your committee of the whole having had under consideration File No. 68, on suffrage and elections, report progress and ask leave to sit again.

C. H. BURRITT, Chairman.

Mr. PRESIDENT. Gentlemen of the convention, there is a communication on the table from the governor of the territory, which the clerk will read.

(See journal page 63.)

Mr. BAXTER. I move we take a recess until 2 o'clock.

Mr. MORGAN. Second the motion.

Mr. PRESIDENT. It is moved and seconded that we take a recess until 2 o'clock. All in favor of the motion will say aye; contrary no. The ayes have it; the convention will take a recess until 2 o'clock.

AFTERNOON SESSION.

September 17th.

Convention reassembled at 2 o'clock.

President Brown in the chair.

Mr. BAXTER. Mr. Chairman.

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

Mr. BAXTER. I have just been down to the station and while there saw a telegram addressed to Governor F. E. Warren, saying that the irrigation committee would be here about 3 o'clock. There was some discussion down there as to what should be done, and it was finally agreed that the committee appointed from this body, having in charge the entertainment of these gentlemen, should make such arrangements as may be necessary to drive this delegation to the fair grounds and show them such crops, etc., as may be on exhibition there, and have their business meeting with them this evening to discuss the question of irrigation with them. It seems to me, therefore, that it would be proper for this convention to adjourn until some hour tomorrow, and extend an invitation to this senate committee to meet us here at that time, if they care to remain

over. Appoint some hour when they can meet us as a convention, but don't ask them to come here and address a lot of empty chairs.

Mr. COFFEEN. I was hoping the motion would take something of this shape; that the president should call us together, and we should be in session ready to receive this senate committee whenever they arrive, and when they are ready to be received, and for this convention to attempt to dictate or to fix the hour when they shall be received.

Mr. FOX. It seems to me that if we could adjourn until 8 o'clock this evening it would perhaps suit all hands better than to take up the time tomorrow morning with this senate committee.

Mr. McCANDLISH. I think for reasons apparent to the greater portion of the convention that it will be very hard to hold a night session tonight. The chance of obtaining a quorum is very slight.

Mr. MORGAN. It has been suggested that there is no provision for light for a night session.

Mr. BAXTER. I will say that it seems to me of much greater importance that our committee appointed from this convention should have an opportunity to confer with this senate committee and lay before them such facts and information as may be in their possession, than that they should be invited to address this convention. It is certain that the senate committee will be here tonight, but it is not certain that they will be here in the morning, and the committee may only have this evening for its consultation. If they remain over tomorrow they can then be invited to attend the convention.

Mr. COFFEEN. Another point can be made. Your committee from this convention, consisting of one member from each county, to look into this matter, were in session last evening. We received information from the territorial engineer to the effect that at Denver the authorities undertook to delay the reports, and did not get matters into shape to lay before this committee. The committee refused to remain there claiming that it was not their fault that they were not ready, and could not carry on their work, and nothing was accomplished. They have all been away from home for a long time and are anxious to get through their work and go home, and it is very probable that they will not be here tomorrow. Now taking these things into consideration, my impression is that our only chance to receive this senate committee as a convention will be this afternoon, and after the experience in Denver I don't think it will be well for this convention to postpone the matter until tomorrow morning.

Mr. BAXTER. It seems to me that this matter is pretty well understood. It has been stated by a member of this committee appointed to receive these gentlemen that they will be taken to the fair grounds immediately upon their arrival here this afternoon, and that this evening has been fixed as the time for holding their consultation with them, so it will be impossible for us to receive them as a convention this evening.

Mr. McCANDLISH. I move we adjourn until 9 o'clock tomorrow morning.

Mr. REED. Second the motion.

Mr. PRESIDENT. I would like to impress one fact upon the members of this convention before this vote is taken. I am strongly in favor of our receiving this senate committee as a convention, but it seems to me if we are to invite this committee here we don't want to ask them to speak to empty benches, and it seems to me that it would be well to adjourn until such time as we can have a full convention to receive them, if you are going to do it at all, and I don't believe you can do that in one hour or this evening. The motion is on the motion to adjourn until tomorrow morning at 9 o'clock. All in favor of the motion will say aye; those opposed no. The chair is in doubt. All in favor of the motion will rise and stand until counted—13. Those opposed will rise and stand until counted—10. The motion to adjourn prevails. The convention will adjourn until 9 o'clock tomorrow morning.

FIFTEENTH DAY.

MORNING SESSION.

Wednesday, Sept. 18, 1889.

Mr. PRESIDENT. Convention come to order.

The secretary will call the roll.

(Roll call.)

SECRETARY. Seventeen members present, Mr. President.

Mr. ELLIOTT. I move a call of the house.

Mr. PRESIDENT. A call of the house is ordered. All in favor of the motion will say aye; contrary no. The ayes have it, the sergeant-at-arms will close the doors and proceed to bring in absent members.

Mr. TESCHEMACHER. At the request of Mr. Butler, I ask that he be excused from this morning's session. I should have made that request as soon as the roll was called.

Mr. HOYT. I have a similar request to make for Mr. Chaplin, who has been called out on business and asks to be excused for half an hour.