

## FOURTH DAY.

MONDAY, *July 8, 10:00 A. M.*

The CHAIR. Gentlemen of the convention, you will please come to order. The secretary will call the roll.

(Secretary calls the roll.)

Absent: Messrs. Beane, Blake, Gray, Harkness, Hendryx, Jewell, Standrod, Woods, Hagan, Vineyard. Excused, Mr. Heyburn.

Prayer by chaplain.

Secretary reads minutes of Saturday's session.

The CHAIR. Any corrections to suggest as to the minutes? If not, they will be considered approved.

## REPORT OF COMMITTEE ON RULES.

The CHAIR. Gentlemen of the convention, the unfinished order of the day is the report of the committee on Rules. I ask that that committee make a report.

Mr. SHOUP. Mr. President, I am directed by the committee on Rules to report to this convention rules for its government. If it is the desire of the convention that these rules should be read and considered at the present time, that will be very satisfactory to the committee. A copy of said rules are herewith sent to the secretary's desk.

Respectfully submitted,

J. M. SHOUP,

*Chairman.*

The CHAIR. If there is no objection, gentlemen, the secretary will read the rules, rule by rule, for action by the convention.

SECRETARY reads: RULE 1. The President shall take the chair every day precisely at the hour to which the convention shall have adjourned on the preceding day, and shall immediately call the members to order.

The CHAIR. If there is no objection, gentlemen, the first rule in the report will be considered as adopted. There is no objection.

SECRETARY reads: RULE 2. The President shall have general direction of the hall, and shall have the right to name any member to perform the duties of the chair, but such substitution shall not extend beyond an adjournment.

The CHAIR. Is there any objection to Rule 2? If not, it will be considered as adopted. Secretary will proceed.

SECRETARY reads: RULE 3. He shall preserve order and decorum in the proceedings of the convention, and in case of any disturbance or disorderly conduct in the galleries or lobby, the president or chairman of the committee of the Whole Convention shall have power to cause the same to be cleared.

The CHAIR. If there is no objection to Rule 3, it will be considered as adopted.

SECRETARY reads: RULE 4. There shall be elected a Vice-President who, in the absence of the president, shall have all the powers and perform all the duties of the president.

The CHAIR. Mr. Secretary, to save time, just make a pause between each rule, and if any members have objections, they can make them as you go along.

SECRETARY reads: RULE 5. Reporters for newspapers, or stenographers wishing to take down debates, may be admitted within the bar of the convention by the president who shall assign such places to them as shall not interfere with the convenience of the convention.

(No objection).

Mr. REID. Mr. Chairman, I ask the unanimous consent that the reading of Rule 6 be omitted as we have heard that read this morning.

The CHAIR. If there is no objection, the reading of Rule 6 will be omitted.

(Rule 6 simply gives the titles and number of members for committees as found in the report of the committee on Committees at page 42 *et seq.*)

SECRETARY reads: RULE 7. All committees shall be appointed by the President, unless it shall be otherwise directed by the convention, in which case they shall be appointed by vote of the convention.

(No objection).

#### OF THE RIGHTS AND DUTIES OF THE MEMBERS.

RULE 8. Members and officers of the convention are required to be constantly in attendance upon the duties of their positions, and leaves of absences to such will only be granted by vote of the convention.

RULE 9. Whenever a member is about to speak, he shall rise from his seat and respectfully address himself to "Mr. President," and the President shall announce the gentleman from the

county he represents and if there be more than one member from such county, then by adding the name of the member. The member may then speak, either from his seat, or from the seat of any other member tendered him for the purpose, or from the Secretary's stand.

Mr. MORGAN. Mr. President, it occurs to me that the rule read just previous to this, Rule 8, which requires a vote should be taken every time a member desires a leave of absence, might be amended by adding "or unanimous consent." This would not require a vote to be taken each time. I move that it be so amended.  
(Seconded).

The CHAIR. It is moved and seconded, gentlemen, that Rule 8 be so amended as to allow leave of absence to be granted by vote of the convention or by unanimous consent. (Vote). The amendment is carried.

(The reading of the rules proceeds without objection, as follows:)

RULE 10. In all cases the member who shall first rise and address the chair shall speak first, but when two or more members shall rise at once, the president shall name the member who is to speak first.

RULE 11. No member shall speak more than twice on the same question, unless by leave of the convention, and he shall confine himself to the questions under debate, and avoid personality.

RULE 12. Any member while discussing a question, may read from books, papers or documents, any matter pertinent to the subject under consideration, without asking leave.

RULE 13. Any member may call for a statement of the question, which the president may give sitting.

RULE 14. Any member may call for a division of the question, and the decision of the president as to its divisibility shall be subject to appeal as in questions of order.

RULE 15. Every member present, when the question is put, shall vote unless the convention excuse him. Any member requesting to be excused from voting, or desiring to explain his vote, may make a brief verbal statement of his reasons for making such request, and the question shall then be taken without further debate.

RULE 16. While the president or chairman is putting any question or addressing the convention, no one shall walk across the hall; and while a member is speaking, no one shall pass between him and the chair. No person or member shall go to or

remain at the secretary's table while the yeas and nays are being called, or ballots called, except the secretary and his assistants.

RULE 17. Any two members shall have the right to demand the yeas and nays upon any question before the result is announced; but if objection is made, the demand shall be sustained by one-fifth of the members present; if not sustained any member may, upon request, have his vote upon the question recorded upon the Journal, and upon the call for the yeas and nays, the secretary shall call over the names alphabetically.

RULE 18. Any three members have the right to demand a call of the convention, but if objection is made, the demand shall be sustained by one-fifth of the members present; and upon a call of the convention, the names of the members shall be called alphabetically and absentees noted.

RULE 19. Any five members have the right to demand the previous question. The previous question shall be put in this form: "Shall the main question now be put?" and until decided shall preclude further debate, and all amendments and motions, except one motion to adjourn and one motion to lay on the table. All incidental questions, or questions of order arising after a motion is made for the previous question and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

RULE 20. On a motion for the previous question, and prior to voting on the same, a call of the convention shall be in order; but after the demand for the previous question shall have been sustained, no call shall be in order; and the convention shall be brought to an immediate vote, first, upon the pending amendments in the inverse order of their age, and then upon the main question.

RULE 21. If a call for the previous question shall not be sustained, the subject under consideration shall not thereby be postponed.

#### ORDER OF BUSINESS FOR THE DAY.

RULE 22. As soon as the convention is called to order, prayer may be offered, the roll shall be called and the absentees noted, and a quorum being present, the Journal of the preceding day shall be read by the secretary, and, if necessary, corrected by the convention.

RULE 23. A majority of members elected to the convention shall be necessary to constitute a quorum to do business; and a majority of those voting shall be sufficient to decide pending questions.

RULE 24. As soon as the Journal is read and corrected as aforesaid, the President shall call for Presentations of Petitions and Memorials, Reports of Standing Committees, Reports of Select Committees, Final Readings. The above business shall be disposed

of in the order in which it is arranged, and shall not be in order at any other time.

RULE 25. Every petition and memorial shall be referred, on motion, without putting the question for that purpose, unless the reference is objected to by a member at the time of its presentation. No petition or memorial shall be printed unless by special order of the convention.

RULE 26. Communications from the Executive Department of the Territory may be received, read and disposed of at any time except when the President is putting a question, while the yeas and nays are being called, or while ballots are being counted.

RULE 27. The interim between any two sessions of the convention on the same day shall be termed a recess; and, on re-assembling at the appointed hour, any question pending at the time of taking such recess shall be resumed without motion to that effect.

#### ON MOTIONS AND QUESTIONS.

RULE 28. Every motion shall be reduced to writing, if the president or any member shall require it.

RULE 29. When a motion is made and seconded, it shall be stated by the president; or, being in writing, it shall be read audibly to the convention by the mover or the secretary, before debate.

RULE 30. After a motion is stated by the president, or read by the secretary, it shall be deemed in the possession of the convention, but may be withdrawn, by leave of the convention, at any time before decision or amendment.

RULE 31. All questions whether in committee or convention, except privileged questions, shall be put in the order in which they are made, except in filling blanks, the largest sum or number and longest time shall be put first.

RULE 32. When a question is under debate, no motion shall be received but to adjourn; to take a recess; to proceed to the orders of the day; to lay on the table; for the previous question; to postpone to a day certain; to commit; to amend; to postpone indefinitely; which several motions shall have precedence of each other in the order in which they are arranged.

RULE 33. When a motion is made to commit to a committee of the whole convention, or to a standing committee, it shall not be in order to amend such motion by substituting any other committee; but if any other committee be suggested, the motion shall be first put upon the committee first named, and afterward upon the committee or committees suggested, in the order in which they are named; but a motion to refer to a committee of the whole convention, to a standing committee, or to a select committee, shall have precedence in the order named.

RULE 34. A motion to postpone to a day certain, or indefinitely, being decided, shall not again be allowed at the same stage of the proposition.

RULE 35. A motion to adjourn shall be always in order, but being decided in the negative, shall not be again entertained until some motion, call or order shall take place.

RULE 36. The following questions shall be decided without debate, to-wit: to adjourn, to take a recess, to lay on the table, to take from the table, to go into committee of the whole on the orders of the day, and questions relating to the priority of business.

Mr. AINSLIE. I would like the secretary to read again in regard to questions decided without debate.

SECRETARY reads Rule 36.

Mr. AINSLIE. It seems to me that question in regard to the priority of business is a debatable question only. I would like some explanation of the committee on Rules in regard to that rule. The question of order is always debatable in any body I was ever in. I move to strike out that part of that rule in regard to the priority of business. (Seconded).

The CHAIR. It is moved and seconded, gentlemen, that that portion of Rule 36 which declares that questions or motions relating to the priority of business shall not be debatable, be stricken out. The question is before the convention for debate. (Vote). The motion is carried. That portion of the rule is stricken out.

(The reading of the rules proceeds without objection, as follows:)

#### AMENDMENTS.

RULE 37. No motion or proposition upon a subject differing from that under consideration, shall be admitted under color of amendment.

RULE 38. A motion to strike out and insert shall be deemed divisible; and a motion to strike out on a division being negatived, or a motion to insert being decided in the affirmative, shall be equivalent to agreeing to a matter in that form, but shall not preclude further amendment, provided, that substitutes for pending propositions shall for the purpose of amendment, be treated as original propositions.

## RECONSIDERATION.

RULE 39. A motion to reconsider must be made by a member voting with the prevailing side, and such motion, to be in order, must be made within the next day of actual session of the convention after such vote was taken, and the same shall take precedence of all motions except a motion to adjourn.

## QUESTIONS OF ORDER.

RULE 40. If any member, in speaking or otherwise, transgress the rules of the convention, the President shall, or any member may, call him to order, and the member called to order shall take his seat, if required to do so by the President, until the question of order is decided.

RULE 41. The President shall decide all questions of order subject to an appeal by any member, on which appeal, no member shall speak more than once, unless by permission of the convention, except the member appealing, who may speak twice, and the President may speak in preference to any member.

RULE 42. If the decision be in favor of the member called to order, he shall be at liberty to proceed; if otherwise, he shall not be permitted to proceed, in case any member object, without leave of the convention.

RULE 43. If a member call another to order for words spoken in debate, he shall, if required by the President, reduce to writing the language used by the member which he deemed out of order.

## OF COMMITTEES.

RULE 44. It shall be in order for the committee on Enrollment and Revision to report at any time when the convention is not otherwise engaged.

RULE 45. All reports of committees shall be signed by such of the members thereof as concur therein, and the report, with the name of the member or members signing the same, shall be read by the secretary or at the secretary's desk, by the members making the report, without a motion, unless the reading be dispensed with by the convention; where the report is unanimous it may be signed by the chairman alone.

RULE 46. No committee shall sit during the daily sessions of the convention unless by special leave.

## COMMITTEES OF THE WHOLE.

RULE 47. When the convention shall be ready to proceed with the orders of the day, a motion to go into committee of the whole convention on the orders of the day, shall have precedence of all other motions, except to adjourn, to take a recess and for the previous question.

RULE 48. In forming a committee of the whole convention, the President shall leave the chair and appoint a chairman who shall preside, and vote as other members.

RULE 49. In committee of the whole, propositions shall be read by the chairman or secretary, and considered item by item, unless it shall be otherwise directed by the committee, leaving the preamble, if any, last to be considered. The body of the proposition shall not be defaced or interlined, but amendments shall be noted by the chairman or secretary, upon a separate piece of paper, as the same shall be agreed to by the committee, and so reported to the convention.

After being reported, the propositions, with amendments thereto of the committee of the whole, shall be immediately taken up for consideration, unless it shall be otherwise ordered by the convention and again be subject to discussion or amendment before the question to engross for final reading shall be taken.

RULE 50. The rules of the proceeding in committee of the Whole shall be the same as in the convention, so far as may be applicable.

RULE 51. All reports of committees, containing matter to be incorporated in the constitution, shall be considered in the order in which the reports are made, and upon their introduction and full reading before the convention, such matter to be incorporated shall lay upon the table, and be printed, and when printed shall be placed on the calendar to be considered in the committee of the Whole.

RULE 52. When such proposition shall have been considered in committee of the Whole and amendments proposed thereto have been disposed of by the convention, the question shall be on ordering the proposition to a final reading and fixing the time thereof.

RULE 53. So soon as any entire proposition for incorporation in the constitution shall have been disposed of, such proposition, if agreed to by the convention, shall be referred to the committee on Revision, to be by that committee embodied in the constitution.

The committee shall have full power to revise the language used in the various propositions, and arrange the same so as to be clearly expressive of the sense of the convention, and to make the instrument complete and consistent with itself.

RULE 54. The committee on Revision having completed its revision as provided in the preceding rule, shall report the article or articles of the constitution to the convention, when it shall be fully read, and when it is thus read, the question shall be on agreeing to the article or articles so amended and revised, and if the same shall be decided in the affirmative, the constitution as a whole shall be carefully enrolled under the supervision of the committee on Enrollment and Revision and signed by the president and members of the convention.



RULE 55. The final vote upon agreeing to each proposition, and upon agreeing to the instrument as a whole, shall be taken by the yeas and nays, and no such proposition shall be considered as agreed to, nor the instrument as a whole except a majority of the delegates present vote therefor.

#### RESOLUTIONS.

RULE 56. Resolutions giving rise to debate shall lay over one day before being acted upon, if, upon their introduction, any member shall give notice of a desire to discuss the proposition therein contained.

RULE 57. No compensation shall be voted to any officer, employe or appointee of the convention, other than fixed originally by resolution, and this rule shall not be altered or suspended except on three days' notice and by a two-thirds vote of the members elected to the convention.

#### CALENDAR.

RULE 58. A calendar of each successive day's business shall be prepared by the secretary, printed and laid upon the desk of each member every morning.

Upon such calendar all propositions for final readings and all special orders shall be placed in the order of priority in which the order is made.

Propositions for a final reading on a particular day, not reached on that day, shall be placed first upon the calendar in the order of final reading of each succeeding day until disposed of. No proposition found upon the calendar shall be taken up and read by the secretary out of its order thereon, except by direction of the convention.

#### ON RULES OF THE CONVENTION.

RULE 59. These rules shall not be altered, except after at least one day's notice of intended alteration, and then only by a vote of the majority of those elected to the convention, and no rule shall be suspended except by two-thirds of those present.

RULE 60. Cushing's Manual and Law of Legislative Assemblies shall be received in all cases not provided for in the foregoing rules.

#### OFFICIAL OATH.

Each member of the convention shall take the following oath:

You do solemnly swear (or affirm) that you will support the constitution of the United States, and will faithfully discharge your duties as a member of this convention, convened for the purpose of framing a constitution for the State of Idaho.

And each officer and attache of the convention shall take the following oath:

You do solemnly swear (or affirm) that you will support the constitution of the United States and will faithfully discharge your duty as an officer of this convention.

The CHAIR. What is your pleasure, gentlemen, in reference to the report of the committee on rules?

PROPOSED COMMITTEE TO DRAFT CONSTITUTION.

Mr. KING. Mr. President, before proceeding further, I would like to make a motion. We have now no form of a constitution before us for discussion. Under our present proceedings, I do not see that there is any probability of there being a form of constitution presented until we obtain the reports of the various committees. Therefore, we shall have to wait for some time. When these various committees make their reports, a constitution will be blocked out, you may say, ready to be presented to the convention. It is not probable, I think, that a constitution will be presented that will be acceptable to all the members. There will be a great many provisions in any constitution that may be presented that will not meet with the views of certain of the members, and each one will propose to make an amendment. Now, if we have to wait a number of days before this draft of the constitution is presented before us, we are losing time. I think we can gain time by appointing a committee to examine the various constitutions that have been adopted by our states, especially those states that are situated as we are with large canals on arid land and large blocks of mountains. Our industries are the same. They have adopted constitutions which have suited them very well. They have made the various amendments that experience has demonstrated to be necessary. If we had some of those constitutions to let the committee select what they consider the best and present it to this convention, then amendments can be sent to the proper committee for their report, and in that way we can get a constitution quicker, I think, than we can do it if we wait until those committees each report on their

departments. For instance, take the labor or the legislative departments, and take each one through the various appointments, if a person wishes to make an amendment, it will have to go back to the original committee for its consideration, then all decide upon it. But if we take up a constitution and make amendments to it, and then refer it to that committee—I therefore make a motion that the president appoint a committee of five to prepare a draft of a constitution and present it to this house at the earliest moment possible for their consideration.

The CHAIR. Is there a second for the motion?

Mr. POE. I think the gentleman is out of order in making the motion at this time. Already committees are provided on each branch of the constitution, whose province it is to draft a form of constitution on the questions submitted to them. I move that the report of the committee on Rules be adopted as amended. (Seconded).

The CHAIR. It is moved and seconded, gentlemen, that the report of the committee on Rules be adopted by the convention as amended. (Vote). The motion is duly carried.

Mr. KING. I move that a committee of five be appointed to prepare a draft of a constitution and present it to the consideration of this convention at the earliest possible moment. (Seconded).

Mr. AINSLIE. Mr. Chairman, I do not see any necessity for any such committee. We have already adopted the report of the committee on Committees and provided a number of committees to draft a constitution. Every member of this convention will be on probably three of these committees. If they desire, they can examine and compare all the constitutions from Maine to Texas, and make such provisions on the subjects apportioned to them as they think necessary. What is the use of making a supernumerary committee of five? Each of these committees will be a large committee. The province of each will be a branch of the constitution

that they are to frame on the questions they represent. Therefore, I say that the appointment of five or ten is to do away with these other committees. Now, I heard a member remark the other day, which is sensible, that the more committees we have the better, but you already have the committees appointed, and each will be engaged in doing the work all at once. If any member desires to make any number of suggestions in regard to any matter, it is easy for him to present the same before the committee in charge. It would be an endless matter to settle all these things in this convention.

Mr. MAYHEW. Now I certainly would be opposed to having a constitutional committee to draft a constitution as proposed by my friend King. It would be doing away with all we have done. I can only say it would be doing away with all the labor and work that all these committees are to do. The only safe way we can do is to consider a constitution presented by the committees appointed by this convention. And as the gentleman suggests, we would never get through in the world if a committee of five should draw a constitution and afterwards report bodily. There would hardly be a member who would not have an amendment to make. Now I certainly would be opposed to the appointment of a committee as suggested by the gentleman from Shoshone. (Question).

The CHAIR. You have heard the motion made by the gentleman from Shoshone, namely, that the chair appoint a committee of five to report the form of a constitution for the convention. (Vote). The noes have it. The motion is lost.

This closes, so far as the chair has any knowledge, all the unfinished business, with the exception of what is necessary under the rules adopted by the convention, namely, that the members of the convention and officers be sworn.

#### INCREASE OF JUDICIARY COMMITTEE.

Mr. MAYHEW. Before this I will send a motion up to the clerk's desk that is necessary to be made now.

SECRETARY reads: Mr. President, I move that the Judiciary committee be increased to the number of fifteen members. A. E. Mayhew. (Seconded.)

Mr. MAYHEW. I desire to state to the convention my object in making the motion to increase the Judiciary committee to fifteen. I have talked to quite a number of the members of the convention and they agree with me upon the proposition that the Judiciary committee is a committee that will have more labor to perform than any other committee here, and it is necessary to have as many members upon that committee as we can consistently have in order to facilitate the business before that committee. It would have this tendency, Mr. President: The Judiciary committee, when they make their report, that portion which is to be incorporated in the constitution—it will have this effect, to prevent so much discussion in the committee of the whole and so many amendments to be made of the report of the Judiciary committee. I think the convention will be much benefitted by having the Judiciary committee increased to the number of fifteen, and then when the committee meets, they can be subdivided among themselves on the different questions, and aid them very materially in making their report. They could make three divisions of that committee, if necessary. I hope that motion will prevail.

The CHAIR. It is moved and seconded that the Judiciary committee reported by the committee on Rules, be increased from nine to fifteen.

Mr. BEATTY. I desire to suggest in connection with that that the chair appoint the committee.

Mr. MAYHEW. Why, certainly, the resolution means that.

Question put and the motion is carried.

The CHAIR. I would suggest that it has been by unanimous consent that the report of the committee on Rules is amended to the extent of this increase. The rules call for a committee of nine.

## RESOLUTION TO PRINT RULES.

Mr. SAVIDGE. I desire to submit the following resolution to the convention and move its adoption: Resolved, That 200 copies of the rules governing this convention be printed in pamphlet form for the use of members, with the names of the members and their post-office addresses given, with the names of the standing committees. W. H. Savidge. (Seconded).

The CHAIR. Gentlemen, you have heard the motion. All those in favor of its adoption will signify by saying aye.

Mr. BEATTY. Please read the motion again. I did not catch it all.

SECRETARY reads. (Vote).

The CHAIR. The ayes have it. The resolution is adopted.

Mr. MAYHEW. Now, Mr. President, I desire to ask for information. The report of the committee on Standing Committees was adopted this afternoon. I think it is necessary, if I am right, that those committees by an amendment should be inserted in the rules just adopted. It seems they are not adopted by the rules. They ought to be inserted in the rules.

The CHAIR. That is not necessary.

Mr. BEATTY. It seems to me that the next thing in order is to know whether our standing committees are yet selected, and if so, that they may be announced in order that they may get to work as speedily as possible. I know of nothing more important to come before the convention until we know how the committees are constituted.

## SWEARING IN MEMBERS.

Mr. REID. Mr. President, I will state that we received yesterday evening the numbers on committees apportioned to the democrats. They met in caucus this morning and got about half through when the time for the meeting of the convention arrived and we adjourned until this session shall have been finished, when they

will meet, and I think they can get through in an hour. I think the next order of business before we can transact any business at all would be the swearing of the members.

The CHAIR. That was the idea of the chair. I will state to the convention that the chair has directed the sergeant-at-arms to see whether the Chief Justice, Mr. Weir, is in the building, and if so, I think it is advisable, at least it is not compulsory under the rules, but I think it is necessary that the oath of office be administered according to the rules before we proceed any further.

The chair is informed that the Chief Justice, Mr. Weir, is at the adjoining building, and I wait the pleasure of the convention as to whether we shall wait for him now or take a recess, which will enable the standing committees to fix a time for meeting.

Mr. AINSLIE. I move that a committee of three be appointed to wait on the Chief Justice and ask his personal attendance on the convention at 2 o'clock this afternoon, and that the convention adjourn until that hour. (Seconded).

The CHAIR. All those in favor of the motion, signify it by saying aye; contrary, no. The ayes have it.

Wait a moment, gentlemen, and I will appoint that committee before the members leave their seats. The chair will appoint as such committee, to wait upon the Chief Justice, Mr. Ainslie of Boise, Mr. McConnell of Latah and Mr. King of Shoshone. Gentlemen, the convention will now take a recess until 2 o'clock this afternoon.

#### AFTER RECESS.

*2:00 P. M.*

The CHAIR. The convention will come to order. I am informed that the Chief Justice is in the lower story and will be here in a moment, and we will simply suspend all proceedings until he arrives. I will state, gentlemen of the convention, that if there is any delegate present who has any conscientious scruples about taking

an oath and prefers to affirm, I hope he will make it known before the Chief Justice comes so that the affirmations will be administered to him, or them, separately.

Gentlemen, of the convention, the time has arrived when the members of the convention and the officers of the convention will be sworn according to the rules. You will please rise and have the oath administered to you.

CHIEF JUSTICE WEIR. You do solemnly swear that you will support the constitution of the United States and will faithfully discharge your duties as members of this convention, convened for the purpose of framing a constitution for the state of Idaho.

The CHAIR. The officers of the convention will please come forward and be sworn.

CHIEF JUSTICE WEIR. You and each of you solemnly swear that you will support the constitution of the United States and will faithfully discharge your duties as officers of this convention.

A MEMBER. Mr. President, I think there are one or more members who were not present when the oath was administered to the members on the floor. I know of one gentleman sitting at my right, and perhaps there may be more. It will be well to inquire, anyway.

The CHAIR. Is there any member of the convention who has come in since the oath has been administered? If so, they will rise and be sworn.

(Mr. Lemp rises and Chief Justice administers same oath).

#### EMPLOYMENT OF ADDITIONAL CLERKS.

Mr. BEATTY. It has been suggested to me, Mr. President, by the secretary, that he needs another assistant clerk, and after consultation with a number of the members, I move you, if it be now in order, that Miss Carrie Sweet of this city, be elected second assistant clerk.

The CHAIR. Is there any second to the motion? (Seconded).

Mr. BEATTY. I desire to state in that connection,



in deference to my democratic friends, I understand the lady is of democratic persuasion.

The CHAIR. It is moved and seconded, gentlemen, that Miss Carrie Sweet be elected by acclamation as second assistant secretary of this convention. (Vote). The ayes have it and Miss Sweet is elected.

#### SUPPLIES FOR CONVENTION.

The CHAIR. There is another matter here of some practical importance, and that is the purchase of a large water cooler and ice for the use of the convention. The weather is warm and when we get fairly to work here with the committees in this room, it will be necessary to have this convenience, and I am informed by the sergeant-at-arms that there is none in the building. If some member will make the proper resolution to obtain one, it will meet with my approval.

Mr. McCONNELL. Mr. Chairman, the doorkeeper informs me that there is no oil, and in case committees wish to meet at night, some provisions should be made for lighting the hall.

Mr. GRAY. Mr. President, it will take some little time to arrange this matter. It can be arranged tomorrow.

The CHAIR. If there is no objection, we will consider the motion seconded.

It is moved and seconded that the sergeant-at-arms be instructed to procure a large water tank and ice and oil for lighting the hall during the sitting of this convention. (Carried).

#### PETITION FROM W. C. T. U.

The CHAIR. The chair has received the following communication addressed to him, but intended to be a petition to the convention. Mr. Secretary, will you please be kind enough to read it?

SECRETARY reads: Boise, Idaho, July 6, 1889. Dear Sir: The Woman's Christian Temperance Union of Idaho respectfully asks that the constitutional con-

vention will receive them Tuesday morning at 10.00 o'clock for the purpose of presenting for their kind consideration two resolutions. I, as the President for Idaho, make this request on behalf of the Women's bands of Idaho and trust it may be received. Mrs. H. Skelton.

The CHAIR. There is no standing committee of the convention organized to whom it would be appropriate to refer this petition and the matter is therefore in the hands of the house.

Mr. AINSLIE. I move that the communication lie on the table until the committees are announced so that it can be referred to the proper committee. (Seconded).

The CHAIR. If there is no objection, that action will be taken. There is no objection. The petition will lie upon the table temporarily.

#### RESOLUTIONS ON THE DEATH OF COL. CHARLES. A. WOOD.

Mr. AINSLIE. Mr. President, if there is nothing before this body, I have an announcement I would like to make, one that I make with feelings of sorrow. Since the members of this convention were elected, a majority of them, we have received the news of the death of one of the most eminent of those who were chosen to represent this convention; a man whose acquaintance I had the pleasure of forming a number of years ago; one whom I practiced with at the bar in the lower courts as well as in the supreme court; a man who served his country during the war of the rebellion faithfully and well; a man who has served his people in every capacity to which he has been called, with honor to them and credit to himself. I refer to Col. Charles A. Wood, a man whose name is synonymous with honesty and integrity; whose ability recommended him to the people of the section in which he lived, but whose name was known throughout the whole extent of the northwest as a lawyer and statesman, a soldier and a gentleman of the highest order. Nothing that I can see now can add to his fame, and nothing I can say can detract from his

character. I have the honor, Sir, to present the following resolution to be acted upon by this body.

(Resolution was handed to the secretary's table).

SECRETARY reads:

*Whereas* announcement has been made of the death of Col. Chas. A. Wood, who at the time of the sad event was a member elect of this body,

*Resolved*, That this convention receives with profound regret the sad news of his death, that by it this territory has been deprived of one of its most prominent citizens, a man of eminent ability as a lawyer; a ripe scholar and an experienced legislator; a man broad and liberal in his views; of a genial and whole-souled nature; beloved by all who knew him, and one whose patriotism and judgment could be relied upon under any and all circumstances. His death is a loss restricted to no county nor section in particular, but a loss to our whole territory.

*Resolved*, That we deeply deplore his death, and while deprived of his valuable aid and counsel in the work before this body, we bow in humble submission to the inscrutable decree of Divine Providence, and invoke for his stricken family in their bereavement that consolation which can come only from an All-Merciful Creator.

*Resolved*, That these resolutions be spread upon the records of this convention, and certified copies of the same be furnished the public press and the widow of our departed friend.

Mr. GRAY. Mr. Chairman, I second the adoption of the resolution.

The resolutions are adopted by the convention.

Mr. POE. Mr. President, before the Chief Justice leaves, there are some members who have come in that have not been sworn and they should be sworn.

The CHAIR. If there is any member of the convention who has not been sworn in, will he please rise and the Chief Justice will administer the oath.

(Members rise and the Chief Justice administers the same oath).

LIST OF MEMBERS OF STANDING COMMITTEES.

The CHAIR. Gentlemen of the convention, I will read the list of standing committees of the convention:

WAYS AND MEANS.

Sol Hasbrouck ..... Washington County  
 Edgar Wilson ..... Ada County

J. M. Shoup .....Custer County  
 J. I. Crutcher .....Owyhee County  
 Frank Harris .....Washington County  
 H. B. Blake .....Latah County

EXECUTIVE DEPARTMENT.

George Ainslie .....Boise County  
 I. N. Coston .....Ada County  
 John S. Gray .....Ada County  
 J. W. Poe .....Nez Perce County  
 W. H. Savidge .....Bingham County  
 W. C. B. Allen .....Lqgan County  
 H. S. Hampton .....Cassia County

LEGISLATIVE DEPARTMENT.

John T. Morgan .....Bingham County  
 A. J. Pinkham .....Alturas County  
 W. D. Robbins .....Latah County  
 John Lewis .....Oneida County  
 S. S. Glidden .....Shoshone County  
 H. B. Blake .....Latah County  
 P. J. Pefley .....Ada County  
 A. J. Pierce .....Custer County  
 Homer Stull .....Elmore County

JUDICIARY.

W. B. Heyburn .....Shoshone County  
 Willis Sweet .....Latah County  
 James H. Beatty .....Alturas County  
 Edgar Wilson .....Ada County  
 J. M. Howe .....Nez Perce County  
 A. E. Mayhew .....Shoshone County  
 George Ainslie .....Boise County  
 W. W. Woods .....Shoshone County  
 J. W. Reid .....Nez Perce County  
 Homer Stull .....Elmore County  
 Frank Harris .....Washington County  
 O. B. Batten .....Alturas County  
 H. S. Hampton .....Cassia County  
 John T. Morgan .....Bingham County  
 W. H. Savidge .....Bingham County

PREAMBLE AND BILL OF RIGHTS.

James M. Shoup .....Custer County  
 John T. Morgan .....Bingham County  
 D. W. Standrod .....Oneida County  
 W. W. Hammell .....Shoshone County

66 LIST OF MEMBERS OF STANDING COMMITTEES

Chas. A. Clark .....Ada County  
 F. Steunenberg ..... Ada County

NAMES, BOUNDARIES AND ORGANIZATION OF COUNTIES.

J. W. Reid .....Nez Perce County  
 G. W. King .....Shoshone County  
 E. S. Jewell .....Washington County  
 A. J. Crook .....Custer County  
 Sol Hasbrouck .....Washington County

SEAT OF GOVERNMENT, PUBLIC INSTITUTIONS, BUILDINGS AND  
 GROUNDS.

Frank P. Cavanah .....Elmore County  
 J. I. Crutcher .....Owyhee County  
 H. B. Kinport .....Bingham County  
 P. M. McMahon .....Alturas County  
 John S. Gray .....Ada County  
 W. J. McConnell .....Latah County  
 H. Melder .....Kootenai County

EDUCATION, SCHOOLS AND UNIVERSITY LANDS.

O. B. Batten .....Alturas County  
 James M. Shoup .....Custer County  
 A. J. Pinkham .....Alturas County  
 H. O. Harkness .....Bingham County  
 Henry Armstrong .....Logan County  
 W. J. McConnell .....Latah County  
 A. S. Chaney .....Latah County  
 John Hogan .....Lemhi County  
 A. D. Bevan ..... Shoshone County

ELECTION AND RIGHT OF SUFFRAGE.

James H. Beatty .....Alturas County  
 O. J. Salisbury .....Custer County  
 W. B. Heyburn .....Shoshone County  
 Charles M. Hays .....Owyhee County  
 George Ainslie .....Boise County  
 A. E. Mayhew ..... Shoshone County  
 F. W. Beane .....Bingham County

REVENUE AND FINANCE.

Charles M. Hays .....Owyhee County  
 Willis Sweet .....Latah County  
 Sol Hasbrouck .....Washington County  
 A. J. Crook .....Custer County  
 S. L. Glidden .....Shoshone County

H. B. Blake .....	Latah County
John Hogan .....	Lemhi County
J. W. Lamoreaux .....	Cassia County
F. Steunenberg .....	Ada County

LEGISLATIVE APPORTIONMENT.

James M. Shoup .....	Custer County
J. L. Underwood .....	Bear Lake County
W. B. Heyburn .....	Shoshone County
J. W. Ballentine .....	Alturas County
Thomas Pyeatt .....	Lemhi County
W. A. Hendryx .....	Kootenai County
J. S. Whitton .....	Logan County
J. W. Brigham .....	Latah County
Charles M. Hays .....	Owyhee County
W. C. Maxey .....	Ada County
J. H. Myer .....	Boise County
H. B. Kinport .....	Bingham County
A. F. Parker .....	Idaho County
Homer Stull .....	Elmore County
J. W. Poe .....	Nez Perce County
J. W. Lamoreaux .....	Cassia County
D. W. Standrod .....	Oneida County
E. S. Jewell .....	Washington County

MILITIA AND MILITARY AFFAIRS.

W. W. Hammell .....	Shoshone County
Thomas Pyeatt .....	Lemhi County
Fred Campbell .....	Boise County
A. J. Pinkham .....	Alturas County
C. A. Clark .....	Ada County
J. H. Myer .....	Boise County
John Hogan .....	Lemhi County

PUBLIC AND PRIVATE CORPORATIONS.

A. E. Mayhew .....	Shoshone County
H. B. Kinport .....	Bingham County
A. S. Chaney .....	Latah County
A. D. Bevan .....	Shoshone County
J. W. Ballentine .....	Alturas County
N. I. Andrews .....	Lemhi County
W. H. Savidge .....	Bingham County
S. S. Glidden .....	Shoshone County
S. J. Pritchard .....	Owyhee County

FEDERAL RELATIONS.

Willis Sweet .....	Latah County
O. J. Salisbury .....	Custer County

A. B. Moss .....	Ada County
T. F. Nelson .....	Idaho County
Robert Anderson .....	Bingham County

## MUNICIPAL CORPORATIONS.

W. W. Woods .....	Shoshone County
Albert Hagan .....	Kootenai County
A. J. Pierce .....	Custer County
P. J. Pefley .....	Ada County
L. Vineyard .....	Alturas County
James H. Beatty .....	Alturas County
H. O. Harkness .....	Bingham County
A. J. Crook .....	Custer County
Edgar Wilson .....	Ada County

## LABOR.

Henry Armstrong .....	Logan County
A. M. Sinnott .....	Elmore County
J. M. Howe .....	Shoshone County
W. B. Heyburn .....	Shoshone County
W. D. Robbins .....	Latah County
G. W. King .....	Shoshone County
J. W. Lamoreaux .....	Cassia County
P. McMahan .....	Alturas County
P. J. Pefley .....	Ada County

## SCHEDULE.

John S. Gray .....	Ada County
Willis Sweet .....	Latah County
J. M. Howe .....	Nez Perce County
W. W. Woods .....	Shoshone County
W. H. Savidge .....	Bingham County
H. S. Hampton .....	Cassia County
F. W. Beane .....	Bingham County
H. B. Blake .....	Latah County
L. Vineyard .....	Alturas County

## MANUFACTURES, AGRICULTURE AND IRRIGATION.

Homer Stull .....	Elmore County
I. N. Coston .....	Ada County
E. S. Jewell .....	Washington County
F. W. Beane .....	Bingham County
S. F. Taylor .....	Bingham County
W. C. B. Allen .....	Logan County
W. J. McConnell .....	Latah County
H. O. Harkness .....	Bingham County
A. B. Moss .....	Ada County

MINES AND MINING.

J. I. Crutcher .....	Owyhee County
F. P. Cavanah .....	Elmore County
A. D. Bevan .....	Shoshone County
G. W. King .....	Shoshone County
D. W. Standrod .....	Oneida County
S. S. Glidden .....	Shoshone County
J. W. Ballentine .....	Alturas County
O. J. Salisbury .....	Custer County
Chas. M. Hays .....	Owyhee County

LIVE STOCK.

H. O. Harkness .....	Bingham County
J. L. Underwood .....	Bear Lake County
Thomas Pyeatt .....	Lemhi County
J. H. Myer .....	Boise County
A. J. Pierce .....	Custer County

PRINTING AND BINDING.

W. C. B. Allen .....	Logan County
Chas. M. Hays .....	Owyhee County
John Lemp .....	Ada County
A. M. Sinnott .....	Elmore County
C. A. Clark .....	Ada County
A. F. Parker .....	Idaho County
F. Steunenbergl .....	Ada County

REVISION AND ENROLLMENT.

James H. Beatty .....	Alturas County
W. W. Hammell .....	Shoshone County
John T. Morgan .....	Bingham County
James M. Shoup .....	Custer County
J. M. Howe .....	Nez Perce County
Albert Hagan .....	Kootenai County
L. Vineyard .....	Alturas County
Frank Harris .....	Washington County
D. W. Standrod .....	Oneida County

SALARIES OF PUBLIC OFFICERS.

J. W. Poe .....	Nez Perce County
I. N. Coston .....	Ada County
J. W. Reid .....	Nez Perce County
Edgar Wilson .....	Ada County
Sol Hasbrouck .....	Washington County



## PUBLIC INDEBTEDNESS AND SUBSIDIES.

A. Hagan .....	Kootenai County
O. B. Batten .....	Alturas County
S. F. Taylor .....	Bingham County
W. J. McConnell .....	Latah County
H. O. Harkness .....	Bingham County

The CHAIR. What is the pleasure of the convention? There is no business before it that I know of.

## MEETINGS OF COMMITTEES.

Mr. BEATTY. I have a motion to offer and report to the secretary. I will read my motion, however. I move that the committees on the Executive, Legislative and Judiciary Departments, Preamble and Bill of Rights, Education, Election and Suffrage and Public and Private Corporations, be instructed to meet immediately on recess or adjournment of this body and continue in session from day to day until the completion of their labors.

That any member of said committee who is chairman of other committees may be excused when they desire to attend meetings of such other committees.

If I can get a second to that motion, I will give my reasons. (Seconded).

Mr. BEATTY. Mr. President, my object in offering that motion is to save time, if possible. We have, as we are all aware, a great many committees, more almost, it seems to me, than can work to advantage. If you will look over the roll of those committees, you will find that it amounts to nearly 200 committeemen—180 or 190, according to my count, and we have forty odd members present. The result is every gentleman is on from two to four committees, and I, for one, do not like to divide myself up into pieces, and I don't see how we can divide ourselves around and fill all those committees. Now, in offering this motion, I have selected the six or seven committees that I think will have the principal work to do. If it is understood that those committees have the precedence and shall continue to work regardless of whether the other committees get to work immediately or not, we will clean up the principal part of the work of the prin-

cial committees, and from day to day the other committees, who have less to do, can put in the time as much as possible. Now, if we take a recess today and adjourn without any understanding as to what we are to do, it seems to me we will have no place to begin. That is, there is no place designated as to where these committees shall meet and we will lose a great deal of time. It strikes me that when the work of these six or seven committees shall have been completed, we shall have substantially a constitution, or the provisions most important. I make the motion with a view to saving time and getting down to work at once. I have made it after but little reflection, but with the idea that other members may make some suggestion as to what is the better mode of getting to work at once and working as speedily and rapidly as possible, for I know that most of us desire to get through this work as quickly as we can and get home, but do our work properly. Now, there are a number of these committees who have very little to do and they might wait a few days until these more important committees get their work off of their hands. There is a committee, for instance, on revision which will have considerable work to do, but their work will not commence for several days. If there are any suggestions better than that motion, I would be glad to hear them.

Mr. MAYHEW. Mr. President, I would like to hear that motion read again.

SECRETARY reads the resolution.

Mr. GRAY. The only trouble I see is, we do not in the reading from the President—that we do not hardly know exactly what committees we are on, and if we could have our list published, we would understand it better. In the hasty reading—perhaps it was neglect on my part—I do not know what committees I am on. It would be better that we should have our list before we act in the matter. Although I am ready to do anything so far as concerns any committee I am on.

The CHAIR. So far as these committees are concerned in this resolution, there will be next week in the

hands of the chairman of each committee, a list, and notifying the gentlemen of this convention.

Mr. MAYHEW. It strikes me that this motion contains instructions to the committees that they shall meet immediately after recess or adjournment for the day, and go into session. It has always been my idea from such little knowledge I possess, that the committees have a right to meet at just such times as they please without any instructions from the body. It is to be presumed that when a member is placed upon a committee, that he is always ready to perform his duty at the call of the committee at any time. Now if that motion should prevail, it seems to me that it certainly will conflict with the meeting of the convention every day here. Now it strikes me very forcibly that it should be with the committees themselves to say when they shall meet and adjourn, not that this committee, or these different committees, shall be instructed by this convention when they shall meet. I venture to say that in any well directed body anywhere, a committee has control of the time, place and adjournment of its meetings without any instructions from the main body of the convention itself. For one, I shall oppose that resolution, and do not see that I can vote for it, because it is imposing upon the committee a direction from this convention that I don't think should be placed upon the gentlemen. I trust and hope that the committees when they meet, will be allowed to meet at their own pleasure and adjourn at their own pleasure and not be under the control of the convention.

Mr. McCONNELL. I think the motion is a move in the right direction. As has been noticed, a number of members are on different committees and I presume the chairmen of those committees will endeavor to get their committees together as soon as possible. Then it will be a question for each individual member to determine, which committee he will visit, and it may be possible, under that state of affairs, it will be very difficult for those committees to get a quorum. I do not know that

it is the view of this body that they shall act at any particular time, but it should be generally understood that the members who belong to those committees shall come there to these meetings, and if it is possible, that the work can be apportioned out so that they can attend other committees, it should be done.

Mr. AINSLIE. I am like the delegate from Shoshone—I don't exactly like that resolution. I don't think it is the policy of the convention to instruct the committee, but refer a matter to it and instruct them to report. But a committee of a legislative body is a great deal like the Czar; meet at their own pleasure and adjourn as they please. If that motion is changed to a request for these committees to meet after the adjournment of the convention as soon as they can, I will be in favor of it; but as a command, I oppose it.

Mr. WILSON. I move an amendment to the motion of the gentleman from Alturas, that after the adjournment of this body today, these committees referred to in that resolution meet, and thereafter those committees and all other committees direct the time and place of their own meetings.

Mr. REID. Mr. President, I shall support the amendment of the gentleman from Ada. A distinguished friend of mine is chairman of the committee on Corporations; he will also be on the Judiciary committee. The purport of the resolution is that we continue in session those committees. Now the committee on Corporations will be deprived of his services as chairman or the committee on Judiciary will be deprived of his services. I make this suggestion because you will find this conflict in other cases. These committees should get together and regulate their meetings as is generally done in legislative bodies.

The CHAIR. Do I understand the gentleman from Boise to make his suggestion in the shape of a motion to amend?

Mr. AINSLIE. As an objection.

The CHAIR. Will the gentleman from Ada please state his amendment?

Mr. WILSON. I move to amend Judge Beatty's motion, that when this body takes a recess today, all the committees referred to in his motion shall meet, and that thereafter those committees and all other committees shall regulate the time and place of their own meetings.

Mr. BEATTY. Mr. President, I can't see that the amendment will amount to anything.

The CHAIR. One moment. It is a very difficult matter to put this amendment in a motion. If the gentleman from Alturas will—

Mr. BEATTY. I was about to suggest that the amendment would leave the matter just about as it now stands, and the gentleman, Mr. Reid, touched upon this question that this motion is intended to meet, which is that it is impossible for one man to be on two committees at the same time. I am aware of that, and it is utterly impossible, if we intend to have all of these committees meet at once, that anything can be done. My object is this: It is to get the committees so organized that as many members as possible of the committees can meet and in doing that, select the committees who have the principal work to perform. Now then, I would like some gentleman to suggest some better plan. If we adjourn from this body and we have no organized plan, what are we going to do? Here are twenty-five committees; each chairman will want his committee to get together; for the important man of the committee is the chairman, who may be anywhere. It will be utterly impossible to get them together. And so with the chairmen of the other committees. They will simply be adjourned from day to day and we will then get no work done. Now my position in this motion is that we can have the committees which have the principal work to perform designated as the committees that shall go to work at once, and then we will have the main part of our work under way. Now it is not designed, as a matter of course, by this motion, nor was it so expressed, that these com-

mittees must meet and be in continuous session. Any committee can adjourn to such hour as it pleases, but the idea is this, that they shall of others have the preference of the members. In other words, the committee of which my friend from Shoshone is chairman, cannot be entitled to demand the presence of the members of his committee when he is on the committees of those other six that I have mentioned. But I would be glad for any plan. I have felt from the start that we had too many committees. If we were a convention of 200 men, then we might make all our committees. But we have formed the committees and we must get at some plan by which we can get the committees together as soon as possible. Now I submit, if you will look over these six or seven committees which I have named, they have the most to do with framing the constitution; if those committees can get to work at once, it seems to me that in four or five days we will get a great deal of our work done. On the contrary, if the committees can do nothing without sending out for the chairmen, who are running around getting their committees together, it seems to me that we will be in a bustle for the next week to come. I intended to have the sergeant-at-arms designate some rooms which the committees should go to. In any event, we haven't enough rooms for the 24 committees. If any member can propose any plan better, by which we can—

Mr. ALLEN. The suggestion, it occurs to me, is included in the amendment of the gentleman from Ada, that the important committees meet first; that they decide exactly their time and place of meeting and that they be obliged to attend. The room in which they are to meet, the hours in the day and the place where each committee is to hold its session or the hour of the session, and then let the other committees so arrange their time, when that is announced.

Mr. WILSON. I will embody my amendment in the way of a substitute and ask for the reading of it from the clerk's desk.

The CHAIR. The clerk will first read the original resolution and then the substitute.

CLERK reads.

The CHAIR. Gentlemen, the question recurs first upon the substitute. (Vote). The substitute is adopted. What is the further pleasure of the house?

Mr. MORGAN. Unless there is further business needing attention now, I move that the convention do now adjourn until tomorrow morning at 10:00 o'clock.

Mr. MAYHEW. I think it would be advisable to have at once a list of the committees and the members of each committee published this evening so that we can have them tomorrow morning, and every member may know what committees he is on.

The CHAIR. The committee on printing will look after that undoubtedly. It is their business.

#### LEAVES OF ABSENCE.

Mr. CAVANAH. I wish to be excused—a leave of absence for four days.

The CHAIR. Four days? Gentlemen of the convention, Mr. Cavanah desires to be excused for a leave of absence for a period of four days. If there is no objection, it will be taken that leave is given by unanimous consent. There is no objection to the leave.

Mr. SWEET. Mr. President, I request a leave of absence for three or four days.

The CHAIR. Gentlemen, the gentleman from Latah, Mr. Sweet, also desires or asks a leave of absence for three or four days. Is there any objection to this leave being granted? If there is none, it will be so ordered.

Mr. ALLEN. I desire to ask leave of absence for one day.

The CHAIR. If there is no objection, gentlemen, the gentleman from Logan, Mr. Allen, will be given leave of absence for one day.

Mr. BEATTY. Before we adjourn, can't we have some understanding as to where these committees may meet? If we do not know, we will be in confusion and

not know where to meet. I would suggest that there are two rooms back of the stair, and one on the left there, and I suppose there are three in connection with the supreme court room that are available.

The CHAIR. I would suggest that the convention take an informal recess—take about fifteen minutes—and during that time the names of the gentlemen which have been referred to as chairmen of the several committees, will take the committee lists of which they are chairmen and notify the members as they are now. They can be obtained from the lists here. And notify them also in regard to where the meeting shall be held.

Mr. ALLEN. I will call for the names of the committees that are instructed to meet immediately.

The CHAIR. The secretary will read the names of the committees in the resolution adopted by the convention.

(Secretary reads).

Mr. WILSON. Mr. President, I am on the Judiciary committee twice. That is too often for me.

The CHAIR. By leave of the convention, I will just scratch out the name and put somebody else in his place.

(Secretary reads W. H. Savidge on Judiciary committee).

Mr. MORGAN. Mr. President, I move that the convention do now adjourn until tomorrow morning at 10:00 o'clock. (Seconded and carried).

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## FIFTH DAY.

TUESDAY, *July 9, 10:00 A. M.*

The CHAIR. The secretary will call the roll.

The CHAIR. The convention will come to order. Gentlemen, the chair requests, as a part of our daily observance that the members of the convention will rise while the chaplain is imploring divine guidance.

(Prayer by Chaplain).