

SIXTH DAY.

MORNING SESSION.

Saturday, Sept. 7th, 1889.

Convention assembled at ten o'clock, President Brown presiding.

Mr. PRESIDENT. Convention will come to order.

The messenger will please notify the committees that may be in session in the committee rooms that the convention is called to order.

Prayer.

Mr. PRESIDENT. The assistant secretary will please call the roll.

Roll call.

Mr. FOX. Mr. President, I have here the report on the credentials of Mr. Hopkins of Sweetwater county. The committee presents it.

Mr. PRESIDENT. I believe it is already reported that Mr. Hopkins is entitled to a seat on the floor, the only question now is to his being sworn in. Is Justice Carroll present, or has he been notified to appear?

Mr. MORGAN. I believe he has been telephoned for.

Mr. PRESIDENT. There are several gentleman absent, and under our rules they should be excused. Are there any absentees who have not been excused?

Mr. HOLDEN. Mr. President.

Mr. PRESIDENT. The gentleman from Uinta, Mr. Holden.

Mr. HOLDEN. I wish to say that my colleague, Mr. Foote, was called away yesterday very unexpectedly.

Mr. PRESIDENT. Mr. Foote of Uinta, Mr. Clark of Albany and Mr. Vagner, already stand excused. Are there any other absentees?

Mr. SMITH. Mr. Ferris is compelled to be absent.

Mr. PRESIDENT. Are there any others?

Mr. HOLDEN. I move that Mr. Foote be excused until such time as he returns.

Mr. PRESIDENT. Are there any others absent who have not been excused?

SECRETARY. None, Mr. President.

Mr. PRESIDENT. Is there any objection that these gentlemen named should be excused until they shall appear next week? There seems to be no objection, and the record will show that they are excused.

As soon as Justice Carroll appears, if one of the members of the convention will call my attention to his presence if I should happen to overlook him, Mr. Hopkins can be sworn in.

The assistant secretary will proceed to read the journal of yesterday.

(Reading of the journal of the fifth day.)

Mr. PRESIDENT. Are there any corrections to be made in the journal of yesterday? The chair noticed no errors. The record will stand approved as read, if there be no objection.

Mr. CHAPLIN. I wish to notify the chair of the presence of Justice Carroll.

Mr. COFFEEN. Mr. President.

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

Mr. COFFEEN. I was going to raise the question concerning whether these outside matters need be put bodily into our records. It seems to me that mention might be made of them, but it does not seem to me that they need be put bodily into the records.

Mr. PRESIDENT. It was the opinion of the chair that these matters should not perhaps be read from the journal, even if they are in it. It is hardly necessary to trouble the convention to listen to these communications from time to time, when they have been once read and disposed of in the convention. There are some communications, perhaps, which the convention might order spread at length upon the record, and they would then become a part of it, but reference in the record of the presentation of certain letters it seems to me would be sufficient, and particularly it seems to me where the convention lays such communications on the table in a rather summary manner. However, these communications have been incorporated in the records, they have been read to the convention, and there was no other disposition to be made of them without some motion by the convention, I take it. The secretary has placed them on the record, as it is entirely his duty to do, having no instructions to do otherwise.

Mr. SMITH. The communication referred to in regard to changing the name of Wyoming, I think should be left out. I think if that man was to come out here we would take him out on the Sweetwater. I therefore move that that part be expunged from the minutes.

Mr. RUSSELL. I ask that the gentleman speak out so we can hear. We can not hear what he says.

Mr. HOYT. If I am not out of order, I desire to suggest just here whether it would not be well in cases where communications which are quite lengthy have been once read in the hearing of the convention, would it not be sufficient hereafter in reading the proceedings of the day previous, to simply refer to them under some heading or title. It strikes me time is too valuable to be spent in reading communications which were laid on the table, or disposed of in some like manner; it seems to me a mere reference to the subject, that it has been laid before the convention would be sufficient.

Mr. JEFFREY. While we are on this subject I may as well direct attention to the fact already referred to by the chair. It must be apparent to the convention that the secretary labors under considerable difficulty. He cannot decide as to what documents shall be spread upon the journal and what shall not. I think that should all be covered by motion or resolution of the convention itself, to the effect that all communications from the outside shall be referred to merely in the journal, unless ordered spread at length on the journal by the convention itself. It would relieve the secretary of a great deal of trouble, and I believe would be perfectly satisfactory to all. At the proper time I suppose a resolution will be passed to that effect. As to the other question of reading these documents, hereafter the secretary unless otherwise instructed by the convention will merely refer to them unless the reading is called for.

Mr. PRESIDENT. This was not intended to be any reflection upon the secretary, but merely an inquiry of the chair, and a suggestion to the convention, as to whether we could not proceed in just such a way as the secretary. I do not suppose it will be necessary to offer a resolution to that effect. I believe it is the desire of the convention that such communications shall not be spread upon the journal at length unless so ordered by the convention. The chair will so hold in future, and unless the convention direct otherwise no communication shall be spread upon the journal of the convention.

Mr. COFFEEN. I wish to ask for information. That will merely refer to communications received from the outside?

Mr. PRESIDENT. Yes. Whenever any communication is received which some member of the convention desires to appear at length upon the records, he will only have to say so.

Mr. COFFEEN. Mr. President. I presume that matter is now well understood and disposed of. I would call the attention of the chair to the fact that Justice Carroll is now in the room and ready to swear in Mr. Hopkins, and ask the unanimous consent that he be at once sworn in.

Mr. PRESIDENT. Is there any objection or changes to be made in the record as it now stands? If not it will stand approved. The chair hears no objection and the record will stand approved.

Mr. Justice Carroll if present will please come forward and administer the oath to Mr. Hopkins, of Sweetwater.

(Swearing in of Mr. Hopkins.)

Mr. PRESIDENT. Mr. Hopkins, we are very glad to have you among us as a member of this convention, will you please take your seat.

SECRETARY. I would like to hear the order of the convention in regard to these letters, Mr. President.

Mr. PRESIDENT. The records stand approved; no order was made.

Gentlemen of the convention, the sergeant-at-arms informs me that he has received from the librarian a sufficient number of copies of the Revised Statutes to supply each and every member. If there is anyone who has not received a copy of the Revised Statutes they can get it at any time by calling on the sargeant-at-arms, who will be glad to deliver them.

I have a communication from Ex-Secretary Shannon, offering thanks to the convention for their kindness in offering him a seat upon the floor. The secretary may read.

Cheyenne, Wyo., Sept. 6, 1889.

My Dear Sir:

I have the pleasure of acknowledging the receipt of a notification that the honorable body over which you preside extends to me the "privileges of the floor."

I cordially appreciate the courtesy, feelin an earnest interest in the work before it.

God guide, speed and crown with happy fruition the labors of Wyoming's constitutional convention.

Very respectfully,
S. D. SHANNON.

To HON. M. C. BROWN.

Mr. PRESIDENT. I have also received from Mr. John T. Titcomb, deputy state engineer of Colorado, copies of his fourth biennial report. He sends them to the convention with his compliments, for the use of the convention. It is a report upon irrigation; there are extensive maps and they may be of great use to the committee on irrigation. I have them upon my desk and the convention can make such disposition of them as they choose.

Mr. REID. I move that we receive them and that the thanks of this convention be sent to Mr. Titcomb.

Mr. COFFEEN. I would second the motion, with this amendment, "and referred to the committee on irrigation, where they properly belong."

Mr. PRESIDENT. Gentlemen, the motion is that they be received, referred to the committee on irrigation, and that the thanks of this convention be tendered Mr. Titcomb for his kindness in sending these records to us. 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.

Mr. BAXTER. Mr. President.

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

Mr. BAXTER. I find upon my desk a copy of this morning's Leader, and I also see the other members of the convention are supplied. I am informed that it is the intention of Mr. John F. Carroll to compliment the convention during its sittings by supplying each member daily with a copy of the Leader. I move that the thanks of this convention be extended to Mr. Carroll for the courtesy extended.

Mr. HOYT. I second the motion.

Mr. PRESIDENT. The gentleman from Johnson.

Mr. BURRITT. I simply rose to second the motion, Mr. President.

Mr. PRESIDENT. It is moved and seconded that the thanks of this convention be tendered to Mr. Carroll, of the Leader, for his kindness in supplying each and every member of the convention with a copy of the Leader. Are you ready for the question? All in favor of the motion will say aye; those opposed no. The ayes have it and the motion prevails that the thanks of this convention be tendered Mr. Carroll for his kindness and courtesy.

By vote of the convention yesterday the special order of today was the presentation of resolutions, propositions, etc. The only order named in our rules in the regular order of business for the day is the presentation of petitions and memorials. Under that head the chair takes it propositions and resolutions may also be presented. Under this general head perhaps we may proceed with the special order at this time, and receive propositions.

Mr. BAXTER. I have several propositions which I wish the clerk to read.

Mr. POTTER. I have some propositions to submit.

Mr. GRANT. I have some propositions.

Mr. TESCHEMACHER. I have a proposition to submit.

Mr. PALMER. I have some propositions to submit.

Mr. BURDICK. I have two propositions to submit.

Mr. FOX. I have a couple of propositions to submit.

Mr. PRESIDENT. Are there any further propositions or resolutions; any memorials or petitions to be offered?

Mr. MORGAN. If there is no other business under the head of resolutions, memorials, etc., to be attended to, I presume any unfinished business or resolutions offered would properly come up. The gentleman from Albany, Mr. Hoyt, offered a resolution yesterday.

Mr. HOYT. Yes, a resolution for the increasing of Committee No. 10.

Mr. PRESIDENT. I have the resolution before me and it will be taken up for action. Perhaps we may proceed with it now.

Mr. TESCHEMACHER. Are we working under the special order?

Mr. PRESIDENT. We are.

Mr. TESCHEMACHER. I judge then that my colleague's motion is out of order.

Mr. MORGAN. Is it not a resolution?

Mr. TESCHEMACHER. I would like to state my point. This is an amendment to the rules. It might cause a great deal of discussion, and take up our entire morning here. We

have made the special order of the day the receiving of propositions and resolutions, and I think we ought to follow it up.

Mr. PRESIDENT. That is the understanding of the chair, and the point is well taken. I simply intended to announce to the convention that this resolution would come up in its regular order, when the proper time arrived, inasmuch as we have made the receiving of propositions the special order of the day, I think we had better adhere to that. As there seems to be no further propositions to be sent up at this time, the clerk will begin to read in the order they were presented.

Mr. HOYT. I understood resolutions might be presented as well as propositions, in regard to the constitution.

Mr. PRESIDENT. The special order was for the presentation of resolutions and propositions for the constitution. The clerk will read.

SECRETARY. By Mr. Baxter:

Concerning the oath to be required of all civil officers.

Every civil officer, except members of the general assembly, shall, before he enters upon the duties of his office, and at the time of qualifying for the same, take and subscribe an oath or affirmation, to support the constitution of the United States and of the state of Wyoming, and to faithfully discharge the duties of the office upon which he is about to enter, to the best of his skill and ability, and that he has not directly or indirectly, by bribery, the corrupt use of money, menace, promise of reward, or other corrupt means or devices whatsoever, sought or secured his election or appointment to said office.

Every member of the general assembly shall before he enters upon the duties of his office take a like oath or affirmation, the same to be administered to him in the hall of the house to which he shall have been elected.

Any civil officer or member of the general assembly having taken the oath or affirmation herein required of him who shall be found guilty of having sworn or affirmed falsely in that respect and convicted thereof shall be deemed guilty of perjury and punished by imprisonment at hard labor in the state penitentiary for a period of not less than one year nor more than ten years and by a fine of not less than one thousand dollars nor more than ten thousand dollars, and forever thereafter shall be disqualified from holding any office of trust or profit in this state.

Mr. PRESIDENT. Is there any motion?

Mr. POTTER. I move that it be referred to the printing committee and ordered printed.

Mr. BAXTER. I do not rise to second the motion. I simply want to ask what the printing committee propose to do with it. I want to see that it gets into the hands of the proper committee. I think it is a matter of great importance.

Mr. PRESIDENT. Rule 25 reads as follows: "Every petition and memorial shall be referred on motion without putting

the question for that purpose unless the reference be objected to by a member at the time of its presentation. No petition or memorial or other matter shall be printed without the special order of the convention."

Now I suppose this proposition might be referred to its proper committee, and at the same time, by motion, ordered printed. It would then go into the hands of the printing committee for printing, and at the same time would be returned by them to the proper committee to which it was referred by the convention.

Mr. POTTER. That is satisfactory to me. I had no wish of delaying action. My idea was simply this. There are a great many of these propositions, some of which perhaps are quite important, and we cannot keep track of them. There may be several propositions bearing upon the same question, and unless printed we cannot remember them. That is my idea.

Mr. FOX. I think the proper way to handle these propositions is to have them all printed. There is no gentleman here who presents a resolution for adoption into this constitution but wants to see it again, and unless they are printed I don't see how we can keep track of them. I think under the rules they will have to be printed.

Mr. PRESIDENT. I would remind the gentleman of our rules as to the reference of propositions. The rule is this. (Rule 25.) That is the rule and under that rule we must work unless we amend it. The question is now on the motion to print. Has any other committee been named to which it should be referred? The chair is in doubt as to the appropriate committee. This does not refer to the qualifications of officers, I take it, at all, and it is not specially a matter to go to the committee on elections. It might perhaps go to the committee on public morals. Are there any suggestions as to its reference?

Mr. PALMER. I would suggest, on looking over the Montana constitution, that it figures there under the head of miscellaneous subjects.

Mr. POTTER. I was about to suggest miscellaneous subjects.

Mr. PRESIDENT. I do not remember the number of the committee on miscellaneous subjects, but believe it is No. 18. Is there any objection to its being referred to No. 18?

Mr. SMITH. It occurs to me that it should be referred to the committee on qualifications to office, for this reason, that that committee in making what provisions they shall as to qualifications for office will naturally provide for these things, and it seems to me proper that it should go into the hands of that committee.

Mr. PRESIDENT. Is there a second to the motion to refer to the committee on elections and qualifications to office, No. 5?

Mr. BAXTER. Second the motion.

Mr. PRESIDENT. It will be so referred without putting the motion, if there is no objection. The chair hears none, and it is so referred. Referred to Committee No. 5. The assistant secretary will please read.

SECRETARY. By Mr. Baxter. File No. 24, concerning the attorney general.

The attorney general of Wyoming shall be the reporter of the decisions of the supreme court of the state.

Mr. PRESIDENT. The chair is in doubt as to whether an attorney general will be provided for by the constitution. However, if there is, I suppose he will come under the head of one of the executive officers in the exercise of his duty. It would seem to the chair this would properly belong to the committee on executive department. Is there a desire to refer it to any other committee?

Mr. BAXTER. I would suggest that it be referred to the judiciary committee, as it pertains to the supreme court. This may not ordinarily be a part of the duties of the attorney general, but the duties which I propose to impose upon him are in connection with the supreme court, and I therefore think it should be referred to the judiciary committee.

Mr. MORGAN. Second the motion.

Mr. PRESIDENT. The motion is to refer to Committee No. 4, judiciary. The chair hears no objection, and it is so referred.

SECRETARY. No. 25, by Mr. Baxter.

Concerning female suffrage.

The right 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. PRESIDENT. The proposition will be referred to Committee No. 5, on elections, right of suffrage, etc., unless it is otherwise ordered by the convention. Is there any suggestion as to the reference of this matter? The chair hears none, and it is referred to No. 5.

The secretary will read.

SECRETARY. No. 26, by Mr. Baxter, forbidding the improper use of public funds.

The making of profit, directly or indirectly, out of state, county, city, town, school district or other public moneys, or using the same for any purpose not expressly authorized by law, by any public officer, shall be deemed a felony, and any public officer who shall be convicted of such felony shall be punished by imprisonment in the state penitentiary for a term of not less than one year nor more than ten years at hard labor, and by a fine of not less than one thousand dollars nor more than ten thousand dollars. Such fine may be enforced

by suit at law against the bondsmen of such public officer so found guilty.

Mr. PRESIDENT. To what committee will you have this matter referred, gentlemen of the convention? There are several that it might go to.

Mr. SMITH. I move, Mr. President, it be referred to No. 7, committee on public morals.

Mr. PRESIDENT. Is there a second?

Mr. POTTER. I move it be referred to committee No. 11, taxes, revenue and public debt.

Mr. TESCHEMACHER. Second the motion.

Mr. PRESIDENT. It is moved that this matter be referred to committee No. 11. Our rules provide that where a motion or suggestion is made as to the reference of a proposition, it may be so referred by the chair, if there is no objection made. Is there any objection to referring this matter to No. 11? The chair hears none, and it is so referred. The clerk will read.

SECRETARY. No. 27, by Mr. Potter, concerning taxation.

Paragraph 1. The property, real and personal, of the state, counties, cities, towns and other municipal corporations and public libraries shall be exempt from taxation.

Par. 2. Ditches, canals and flumes owned and used by individuals or corporations for irrigating lands owned by such individuals or corporations or the individual members thereof, shall not be separately taxed so long as they shall be owned and used by such owners exclusively for such purposes.

Mr. PRESIDENT. The last proposition will be referred to committee No. 11, on taxation, revenue and public debt, unless the convention otherwise order. Is there objection to its being so referred? The chair hears none, and it is so referred to No. 11.

SECRETARY. No. 28, by Mr. Potter, concerning public schools.

Par. 1. The legislature may require, by law, that every child of sufficient mental and physical ability shall attend public schools during the period between the ages of six and eighteen years, for a time equivalent to three years, unless educated by other means.

Par. 2. Neither the legislative assembly nor the state board of education nor the superintendent of public instruction shall have power to prescribe text books to be used in the public schools, and make the use of such text books exclusive or obligatory.

Mr. PRESIDENT. This proposition will be referred to committee No. 7, on education, unless otherwise ordered. Is there objection to this being so referred? There being none it is so ordered, Mr. Secretary. The secretary will read.

SECRETARY. No. 29, by Mr. Potter.

Par. 1. No elector shall be deemed to have lost his residence in this state by reason of his absence on business of the United States or of this state, or in the military or naval service of the United States.

Par. 2. No soldier, seaman or marine in the army or navy of the United States shall be deemed a resident of this state in consequence of his being stationed therein.

Mr. PRESIDENT. To what committee will you have this last referred, gentlemen? It might go to the judiciary committee.

Mr. POTTER. I would suggest that it should go to the committee on elections, rights of suffrage, etc. It bears upon that question it seems to me. I had in view the right of voting at the time I introduced the proposition.

Mr. PRESIDENT. Is there objection to this proposition being referred to committee No. 5 on elections and right of suffrage? The chair hears none and it so ordered.

SECRETARY. No. 30, by Mr. Potter, concerning the power of the legislative assembly to pass local or special laws.

Par. 1. The legislative assembly shall not pass local or special laws in any of the following enumerated cases:

1. Granting a divorce or divorces.
2. Locating or changing county seats.
3. Declaring any person of age.
4. Incorporation of cities, towns or villages, or changing or amending the charter of any town, city or village.
5. Restoring to citizenship persons convicted of infamous crimes or felonies.
6. Changing the names of persons or places.
7. Providing for changes of venue in civil or criminal cases.
8. For punishment of crimes or misdemeanors.
9. Changing the law of descent.
10. Providing for the management of public schools.
11. Providing for the management of public schools.
12. The opening and conducting of any election or designating the place of voting.
13. Summoning and impanneling grand or petit juries.
14. Laying out, opening, altering or working roads or highways.
15. Vacating roads, town plats, streets, alleys and public grounds.
16. Regulating the practice in courts of justice.
17. Regulating the jurisdiction and duties of justices of the peace, police magistrates and constables.
18. Regulating county and township affairs.
19. For the assessment and collection of taxes for territorial, county or other purposes.

20. Creating, increasing, or decreasing fees, percentage or allowances of public officers during the term for which said officers are elected or appointed.

21. Granting to any corporation, association or individual, the right to lay down railroad tracks, or amending existing charters for such purpose.

22. Granting to any corporation, association or individual, any special or exclusive privilege, immunity of franchise whatever.

23. Legalizing, except as against the state, the unauthorized or invalid act of any public officer.

Par. 2. In all other cases where a general law can be made applicable, no special law shall be enacted; nor shall the legislative assembly indirectly enact such special or local law by the partial repeal of a general law; but laws repealing local or special acts may be passed.

Mr. PRESIDENT. Is there any motion or suggestion as to the reference of this proposition? There is a good deal in it that might properly go to the judiciary committee, but I think it more properly belongs to the committee on legislative department. Is there objection to such reference? The chair hears none, and it is so referred to committee No. 2.

SECRETARY. No. 31, by Mr. Grant, proposition in relation to railroads and telegraphs.

Section 1. Any railroad corporation or association organized for the purpose, shall have the right to construct and operate a railroad between any points within this state and to connect at the state line with railroads of other states. Every railroad shall have the right with its road to intersect, connect with or cross any other railroad and shall receive and transport each other's passengers, tonnage and cars, loaded or empty, without delay or discrimination.

Sec. 2. Railroads heretofore constructed or that may hereafter be constructed in this state are hereby declared public highways and railroad companies common carriers.

Sec. 3. Every railroad corporation or association operating a line of railroad within this state shall annually make a report to the auditor of the state of the amount of its business within this state.

Sec. 4. Exercise of the power and right of eminent domain shall never be so construed or abridged as to prevent the taking by the legislature of the property and franchises of incorporated companies and subjecting them to public use the same as the property of individuals.

Sec. 5. Neither the state nor any county, township, school district or municipality shall loan or give its credit or make donations to or in aid of any railroad or telegraph line; provided, that this section shall not apply to obligations of any county, city, township, school district, contracted prior to the adoption of this constitution.

Sec. 6. No railroad or other transportation company in existence upon the adoption of this constitution shall derive the benefit of any future legislation without first filing in the office of the secretary of state an acceptance of the provisions of this constitution.

Sec. 7. No street railroad shall be constructed within any city, town or incorporated village without the consent of the local authorities having control of the streets and highways proposed to be occupied by such street railroad.

Sec. 8. Any association, corporation or lessee of the franchises thereof organized for the purpose shall have the right to construct and maintain lines of telegraph within this state and to connect the same with other lines.

Sec. 9. No foreign railroad or telegraph line shall do any business within the state without having an agent or agents within each county through which such railroad or telegraph line shall be constructed upon whom process may be served.

Mr. PRESIDENT. If there is no objection, gentlemen of the convention, this will be referred to committee No. 14, railroads and telegraph lines. The chair hears no objection, and it is so referred.

SECRETARY. No. 32, by Mr. Teschemacher, concerning qualifications of electors.

Par. 1. No person shall be deemed a qualified elector of this state, unless he be a citizen of the United States.

Par. 2. No person who is under guardianship, non compos mentis, or insane shall be qualified to vote at any election, nor shall any person convicted of treason or felony unless restored to civil rights.

Mr. PRESIDENT. This proposition will be referred to committee No. 5, on elections, right of suffrage, and qualifications to office, unless otherwise ordered. Is there any objection that it be so referred? The chair hears none, it is so referred.

SECRETARY. File No. 33, by Mr. Palmer, concerning exemptions.

"That there be a clause inserted in said proposed constitution prohibiting the exemption from taxation of any property save that of the United States of America, the State of Wyoming, and that of corporations in their native municipal."

Mr. PRESIDENT. This will be referred to Committee No. 11, on taxation, revenue, and public debts, unless otherwise ordered. Is there objection to its being so referred? The chair hears none, and it is so referred.

SECRETARY. File No. 34, by Mr. Burdick, the governor shall be commander-in-chief of the militia.

Mr. PRESIDENT. If the convention does not otherwise order, this proposition will be referred to Committee No. 16, federal relations, public lands and military affairs. Is there objection to the matter being so referred? The chair hears none and it is so ordered.

SECRETARY. No. 35, by Mr. Burdick, irrigation commissioners.

Section 1. That a clause be introduced into the proposed constitution providing for the establishment of a state board of irrigation commissioners, composed of four division superintendents and the state engineer.

Sec. 2. That the duties of said board of commissioners shall be a general supervision of the appropriation, distribution and division of the waters of the state.

Sec. 3. That all waters within the boundaries of the state are the property of the state.

Mr. PRESIDENT. If the convention does not otherwise order, this proposition will be referred to Committee No. 8, agriculture, irrigation and water rights. Is there objection to this being so referred? The chair hears none, and it is so ordered.

The clerk will read.

SECRETARY. No. 36, by Mr. Fox, state militia.

Section 1. The militia of the state shall consist of all able bodied male citizens of the state between the ages of eighteen and forty-five years, except such as are exempted by the laws of the United States or of the state. But all such citizens having scruples of conscience averse to bearing arms shall be excused therefrom upon such conditions as shall be prescribed by law.

Sec. 2. Volunteer organizations of infantry, cavalry, artillery or other service may be formed in such manner and under such restrictions and with such privileges as may be provided by law, which shall conform as near as practicable to the regulations for the armies of the United States.

Sec. 3. The governor shall be commander-in-chief and shall have power to call out the militia to preserve the public peace to execute the laws of the state, to suppress insurrection or repel invasion.

Mr. PRESIDENT. Unless the convention otherwise order, this proposition will be referred to Committee No. 16, on federal relations and military affairs. Is there objection to its being so referred? The chair hears none and it is so ordered referred to Committee No. 16.

Mr. COFFEEN. Mr. President.

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

Mr. COFFEEN. While we are on this order of business, I desire to offer a resolution touching railroad corporations, and also one on corporations in general.

Mr. TESCHEMACHER. I have another resolution to offer, also, Mr. President.

Mr. PRESIDENT. The gentleman from Laramie offers a resolution.

The clerk will proceed to read the propositions just offered.

SECRETARY. No. 37, by Mr. Coffeen, on railroad corporations.

That to further protect present cities, towns and interests from improper interference, no railroad corporation doing business in this state shall directly or through its stockholders or agents be interested financially in laying out any town site or any addition to any existing town or city or in the business of selling and disposing of town lots within this state, nor shall any such corporation construct or operate a railroad within four miles of any existing town or city without providing therefor suitable depots or stopping places.

Mr. PRESIDENT. This proposition will be referred to Committee No. 14, railroads and telegraph lines, unless otherwise ordered by the convention. Is there objection to its being so referred? The chair hears none and it is so ordered. The clerk will read.

SECRETARY. No. 38, by Mr. Coffeen, on corporations.

Section 1. That no corporation shall be created by special laws or its charter extended, changed or amended, except those for charitable, educational, penal or reformatory purposes which are to be and remain under the patronage and control of the state.

Sec. 2. That the legislature shall provide by general laws for the organization of all corporations hereafter to be created, and provide that every stockholder shall have the right to vote in person or by proxy for the number of shares of stock owned by him for as many persons as there are directors or managers to be elected or he may cumulate all votes to which he may be entitled in favor of one candidate or divide them among the candidates as he may deem best for the protection of his interests.

Sec. 3. That no franchise or charter granted to any corporation, doing business in this state shall be construed as a contract between the state and said corporation, but that the legislature of this state shall have power to alter and amend and for violation of law to annul any franchise or charter granted to any corporation whenever in their opinion the rights of the citizens or the public welfare may require it.

Sec. 4. That no corporation shall have power to engage in more than one general line or department of business which single line of business shall be distinctly specified in its charter of incorporation.

Mr. PRESIDENT. Gentlemen of the convention, the last proposition will be referred to Committee No. 13, on corporations, unless otherwise ordered by the convention. Is there objection to its being so referred? The chair hears no objection, and it is so referred to Committee No. 13.

Are there any other propositions, Mr. Secretary?

SECRETARY. No. 39, by Mr. Teschemacher, all elections by the people must be by ballot.

An absolutely secret ballot is hereby guaranteed and it shall be the duty of the legislature to enact such laws as shall carry this section into effect.

Mr. PRESIDENT. This proposition will be referred to Committee No. 5 unless otherwise ordered by the convention. Is there objection to its being so referred? The chair hears none and it is so ordered.

Are there any further propositions?

Let me suggest now to the members of the convention, if they desire these several propositions printed, that a motion be made to that effect.

Mr. POTTER. I desire to move that propositions No. 23, concerning the oath of public officers; 26, improper use of public moneys; 27, concerning taxation; 28, concerning qualifications of electors; 30, relating to railroads and telegraph lines; 31, qualifications of electors; 35, irrigation commissioners; 36, military affairs (Mr. Fox); 37, railroad corporations, and 38, concerning the ballot, be printed.

Mr. REED. I would state before any action is taken on that, there is a communication I have sent to the secretary's desk which I wish read.

Mr. PRESIDENT. One just sent up? The secretary will please read.

SECRETARY. No. 40, by Mr. Reed, prohibiting the importation of foreign police, etc.

No force of men for the purpose of suppressing domestic violence shall ever be brought into this state except upon the demand of the legally constituted authorities of the state and such demands shall not be construed to give any authority to demand any other foreign force of men than the demand upon the president of the United States for the army of the United States.

Mr. PRESIDENT. This proposition will be referred to Committee No. 10, on manufactures, commerce, live stock interests, and labor, unless otherwise ordered by the convention. Is there objection to its being so referred? The chair hears none, and it is so referred.

Are there any further propositions, Mr. Secretary?

SECRETARY. None, Mr. President.

Mr. PRESIDENT. Is there a second to the motion of the gentleman from Laramie, Mr. Potter?

Mr. SMITH. I second the motion.

Mr. HOYT. I move an amendment, by having this bill of Mr. Reed's inserted and ordered printed.

Mr. POTTER. I accept the amendment.

Mr. PRESIDENT. What is the number of that file?

SECRETARY. No. 40.

Mr. PRESIDENT. It will be so amended so as to include No. 40 unless the second objects.

Mr. SMITH. I offer no objection.

Mr. FOX. There was a number of matters filed yesterday, and it seems to me they should be called for, and such as it is deemed necessary to have printed, can be so ordered at the same time.

Mr. POTTER. In that connection, Mr. President, there is one that I think of, I do not know the number, owing to the fact that there were three propositions referring to the organization of new counties; it might be well to have all three printed. I would be willing to accept the amendment if it is not too late, that these propositions be printed. There were several on that subject.

Mr. PRESIDENT. If the convention will permit me, I would suggest this. There are a number of these propositions that none of us understand much about. They were not read at length; they were placed in the hands of the committees, and the committees may refer them back at any time, with the request that they be printed, and when referred back in that way we can order them printed. If it is the desire of the committees to take up any special matters or numbers at this time, they could designate them, and they could be ordered printed at this time. The question will be on the motion of Mr. Potter of Laramie, that the following propositions and resolutions be printed, viz: Nos. 23, 26, 27, 28, 30, 31, 35, 36, 37, 38 and 40.

Mr. POTTER. There is another one that I think of, Mr. Chairman, concerning woman suffrage. Will the assistant secretary give us the number of that?

SECRETARY. No. 25.

Mr. PRESIDENT. I will place it upon the list presented by the gentleman from Laramie, with the permission of his second.

Mr. POTTER. I meant to have added that, with the permission of my second.

Mr. PRESIDENT. File No. 25 has been added to the list, and also No. 40. The motion has been stated. Gentlemen, 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 bills referred to in the motion are ordered printed.

Is there any further business to be attended to in reference to the special order of the day? There are some other matters before the convention for its action, unless the special order should be continued. What is your pleasure, gentlemen, as to the special order?

Mr. HAY. I think there are one or two gentlemen in the committee rooms struggling with resolutions and propositions. We had better give them notice before this order closes, perhaps.

Mr. PRESIDENT. If it is the wish of the convention, we

will not act upon closing the order at this time, but may occupy the time with something else, by general consent.

Mr. COFFEEN. Consent.

Mr. PRESIDENT. The resolution offered yesterday by Mr. Hoyt of Albany, we will take up to-day. The subject of the resolution is to increase the number of Committee No. 10, I believe. The assistant secretary will please read.

(Hoyt's resolution, see other page.)

Mr. PRESIDENT. The motion is for the adoption of this resolution. Is there a second to the motion?

Mr. RINER. Second the motion.

Mr. PRESIDENT. Are you ready for the question? All in favor of the motion will say aye; those opposed no. The motion prevails, the Ayes have it. The committee is ordered increased to ten in number.

Mr. BAXTER. I understood the motion to be introduced in order that the committee might have a representative from each county. Is it intended to entirely reorganize the committee? There are two members from one county on it now.

Mr. PRESIDENT. It was not intended to reorganize the committee, but simply to provide for its increase to ten in number.

Mr. BAXTER. It should be increased to eleven in order to have one member from each county, as there are two members now on from one county.

Mr. PRESIDENT. The resolution limits the number; it is limited to ten.

Mr. HOYT. It was an oversight on my part. I did not notice that there were two members from one county. My desire was, that as this was rather an important committee, to have an equal distribution over the whole territory. At the same time I had another object in view, to carry out the wishes of members who had lately come in, and who had expressed a preference for that committee.

Mr. PRESIDENT. The chair would state to the convention that there is no rule requiring the chair to appoint one member from each county on committees of ten, but so far as has been possible the committee on rules have endeavored to follow this course so far as possible, and appoint one member from each county. In some cases gentlemen from different counties have relinquished their right by stating to the chair that they do not care to have a representative upon that committee. Under these circumstances the chair has appointed more than one from some counties, and unless there is objection in the future, when gentlemen from certain counties decline such positions, the chair will offer the positions to some other counties and fill it as best it may.

Mr. COFFEEN. Do I understand that we cannot retrace our steps and amend from ten to eleven?

Mr. PRESIDENT. The motion is passed for ten. Any desire to further amend the rule would come under the rule requiring one day's notice.

Mr. COFFEEN. I think I can make a motion to reconsider, having voted in the affirmative. Therefore, if I can obtain a second.

Mr. REID. Second the motion.

Mr. PRESIDENT. It is moved and seconded that the motion just passed be reconsidered.

Mr. SMITH. I simply want to raise this question now. Even if this motion is carried, is it not required that a day shall pass? You are amending the rules and you must confine yourself now to the notice, as this is not the proposition of which notice was given yesterday.

Mr. PRESIDENT. Does the gentleman who raises the point of order think the motion to reconsider being put at this time not in order.

Mr. SMITH. No, not that. The motion to reconsider is in itself all right. The point I make is simply this—that if we pass the motion to reconsider a day will have to pass before we can take final action.

Mr. COFFEEN. May I speak to a point of order for a moment?

Mr. POTTER. I object to the point of order raised.

Mr. SMITH. I just wished to call attention to what the situation would be then.

Mr. PRESIDENT. The motion now before the house is to reconsider the motion passed a few moments ago. All in favor of the motion will say aye; those opposed no. The ayes have it. The motion to reconsider prevails.

Mr. COFFEEN. Now, as I understand it, the main question is before us again.

Mr. PRESIDENT. The question now before us is on the motion to amend the rules by increasing the committee to ten.

Mr. COFFEEN. I move to amend that motion by striking out the word "ten" and inserting in lieu thereof the word "eleven."

Mr. POTTER. Second the motion.

Mr. PRESIDENT. Does the gentleman insist upon his point of order?

Mr. SMITH. They have a right to amend as much as they please, but final action cannot be taken without a day's notice.

Mr. PRESIDENT. It is moved that the resolution be amended so as to increase the number of this committee to eleven—Committee No. 10. Are you ready for the question?

Mr. SMITH. I rise to a point of order. You are amending the rules. That is a different proposition from what notice was given yesterday, and necessarily must go over for a day before acted upon.

Mr. PRESIDENT. The chair is of the opinion that the proposition presented yesterday was to amend the rules. It is true that a particular number was specified. The proposition now is to amend that resolution, and it is the opinion of the chair that it may be amended at this time; that the motion to amend the number does not necessarily carry it over for another day. Is there any appeal from the decision of the chair? If there is none the question is now upon the amendment. All in favor of the motion to amend so that it shall read eleven instead of ten say aye. Those opposed no. The ayes have it and the resolution is amended to read eleven instead of ten. What is your further desire?

Mr. COFFEEN. The question is now on the main motion as amended to adopt the resolution as amended.

Mr. PRESIDENT. Are you ready for the question? All in favor of the motion will say aye; those opposed no. The ayes have it and the motion prevails. The rules are amended and the committee stands increased to eleven.

(Burritt, Burdick and Holden come in from the committee room.)

The matter just disposed of was taken up by consent, gentlemen; we are still working under the general order, the presentation of propositions, resolutions, etc. Are there any further propositions?

Mr. POTTER. If not interfering with the special order, I now move that rule No. 6 be amended by adding a committee to be known as Committee No. 20, on ordinances, composed of seven members.

Mr. GRANT. Second the motion.

Mr. PRESIDENT. The chair will state the question. Notice was given yesterday by Mr. Potter to further amend rule No. 6 by the creation of an additional committee, to be known as Committee No. 20 on ordinances. It is now moved that the committee be so formed, and that it consist of seven members. The question is before you for your consideration.

Mr. CAMPBELL. I would like to inquire what this committee on ordinances means. As I understand that subject, it is covered by schedule. I would like to be enlightened, so I can vote intelligently.

Mr. POTTER. As I understand it everything that goes into the schedule, so called for what reason I don't know, is embodied in the constitution and is a part of the constitution, and is just the same as any other part of it.

The ordinances I refer to contain a great many matters that would not go into the constitution proper. For instance, the declaration that is required in the formation of all these new states by congress as to the ownership of public lands (unappropriated public lands), and the jurisdiction of the United States over Indian reservations; these things which are in the nature of a contract or agreement between the state and the

United States. They are not a part of the constitution, but it is required of us that we look after these things, and it seems to me that it is a very important matter, and we should be very particular as to its language, and it seems to me that we ought to have a committee to have charge of them.

Mr. MORGAN. Mr. Potter is just right. There are certain things that congress requires of us, and they should have much consideration, and I believe if this constitution is adopted and submitted to congress that the only question congress would raise would be in regard to these ordinances. The conditions they make require certain things of us, and we make a similar contract with them. It is just as Mr. Potter stated, this is an important matter, and we should have a committee on this matter of ordinances especially.

Mr. PALMER. I would suggest that there also be included in this committee on ordinances the subject of memorials to congress. We have no committee on this subject and I think it should be included.

Mr. FOX. Mr. Chairman, I don't think that we need such a committee. I think that the subjects that have been mentioned should be embodied in the constitution. The laws of congress especially say that a territory, on framing a constitution, shall disclaim in ordinances any claim to the public lands, which shall forever belong to the United States, except such portions as may be granted to the state, and I notice on looking over the constitution of the different states, especially those that have been lately formed, that there is no such thing as an ordinance attached. The ordinances in some are included in the schedule. I notice in the constitution of Missouri there is an ordinance stating that if this constitution is adopted by the people, certain bonds that were issued for the construction of a railroad shall be considered null and void. This is not a part of the constitution, but it is an ordinance. The other subjects proposed to bring in as ordinances properly go into the schedule. I think we can get along without such a committee. I think we can arrange this matter by adding a word to the name of Committee No. 18, to be known as the committee on schedule, ordinances, future amendments and miscellaneous matters, and we need not be confused by having two committees. My object is to have these ordinance sections come under control of Committee No. 18, so that there may be no confusion.

Mr. POTTER. If I may be permitted, I should like to speak again upon this matter.

Mr. PRESIDENT. You will have to wait until other members have spoken if they so desire. Is there any objection to the gentleman from Laramie speaking again at this time? The chair hears none, the gentleman will proceed.

Mr. POTTER. To explain this matter, as I understand it. Colorado in their compact with the federal government placed

it under the head of ordinances, entirely at the end of the constitution. Idaho does the same thing, after the constitution is signed and certified. North Dakota has placed this matter not under the head of schedule, but under the head of compacts with the United States, in its constitution. I believe that is the proper place for it. No doubt either way is perfectly legal, and I am simply speaking of these to show the custom. I only have these two states in mind, that I know anything of, the recently organized states. One of them has performed it in one way and the other in another.

Mr. SMITH. It seems there should be no controversy over this question. It must be done in one shape or another, and I don't suppose it makes any particular difference which. I have not looked at the constitution of many of the states. I know in Pennsylvania the ordinances were incorporated there separately from the constitution, and Colorado is the same. I think Nebraska had these matters separate and distinct from the constitution. The subject must be attended to in one way or another, and I think it very important that we should have such a committee, and I think one should be appointed and appointed soon.

Mr. TESCHEMACHER. I think that the members of this convention all remember that we are supposed to be working under the senate bill, and if we are working under that senate bill, and if we will look into it, we will see that it provides just what shall be done. Section three of that bill says, after providing for our meeting, that we shall declare on behalf of the people that we adopt the constitution of the United States, and that we shall declare by ordinances certain things. Now, it seems to me under that provision that all these things should be provided for by ordinances, and not incorporated as a part of the constitution. If we are working under that bill, Senate Bill 2445, that is the way to do it.

Mr. CAMPBELL. If nobody else wants to talk on this subject, I should like to have the privilege now.

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

Mr. CAMPBELL. I am desirous of making a short explanation in regard to this matter on behalf of the committee on rules and committees. As every member of that committee will remember, this subject was discussed in the committee on rules, when the committees were formed. It was discussed there, and we concluded not to make a separate committee, but to follow the example of Montana, and let it go to the committee on schedule, amendments, etc., we just left the word ordinances out, but it was understood that all matters in relation to these ordinances should be referred to the committee on schedule. Of course it doesn't make any difference whether a new committee is created, but in justice to the committee I want it understood that this matter was fully

discussed by the committee, and they determined that all such matter should be referred to the committee on schedule.

Mr. PRESIDENT. Any further remarks? The question is upon the creation of a new committee, to consist of seven, to be known as the committee on ordinances.

Mr. CONAWAY. I should like to amend that and recommend that it be referred to the committee on rules.

Mr. JEFFREY. Second the motion.

Mr. COFFEEN. Do I understand this motion is to refer it to the committee on rules?

Mr. PRESIDENT. Yes.

Mr. COFFEEN. As a member of that committee I should prefer to have the matter take its course in this convention, and consider the motion as it was originally stated. Those who have moved this have evidently considered the matter, and have given some pretty good reasons for having a special committee on that business. I approve of the suggestion, and favor the original motion.

Mr. PRESIDENT. The motion is now to refer the former motion (the motion originally made was to amend the rules by the creation of a new committee) to the committee on rules. The chair is in doubt as to whether the committee on rules is now in existence. It seems to me that the committee was discharged, but I am not sure about that.

Mr. RINER. It was discharged.

Mr. CAMPBELL. It was discharged.

Mr. PRESIDENT. As there is no such committee, the motion to refer the matter to them is not in order.

Mr. PRESIDENT. The question will then be on the original motion to create a new committee, No. 20. 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.

Mr. JOHNSTON. Mr. President.

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

Mr. JOHNSTON. I would like to have the unanimous consent of the convention to present the report of committee No. 8, with which is connected a couple of resolutions which it may be advisable to act upon before we adjourn.

Mr. PRESIDENT. Are they propositions to go into the constitution?

Mr. JOHNSTON. No, they refer to the governor's communication in regard to the expected visit of the United States senate committee, and the committee recommend some matters which should perhaps be acted upon without delay.

Mr. PRESIDENT. Is there any objection to the report referred to by Mr. Johnston being offered at this time? The chair hears no objection and the committee will read the report from the committee on irrigation.

(Reading of report. See journal page 34.)

Mr. PRESIDENT. Gentlemen, if there is no objection the question will be upon the adoption of the report of your committee. All in favor of the adoption of the report of the committee on irrigation will say aye; those opposed, no. The ayes have it and the report is adopted. This would seem to carry with it the adoption of the resolutions, but that there may be no question upon that matter we will take them up and adopt them in order as presented. The clerk will read the first resolution.

(Reading of first resolution.)

Gentlemen, you have heard the resolution read; the question is upon the adoption of the resolution. All in favor of the resolution being adopted will say aye; those opposed, no. The ayes have it, the resolution prevails. The clerk will read No. 2.

(Reading of resolution No. 2.)

Gentlemen, you have heard the resolution read. The question is upon its adoption. Are you ready for the question. All in favor of the adoption of the resolution will say aye; those opposed, no. The ayes have it. Will the different delegations immediately select a representative for this committee and report it to the chair.

Mr. HAY. I suggest that the roll be called by counties.

Mr. PRESIDENT. Are the different delegations ready to name their representatives?

Mr. REID. Laramie is ready.

Mr. PRESIDENT. The secretary is about to call the roll by counties; the convention will please come to order.

SECRETARY.

Albany county, S. W. Downey,

Carbon county, R. C. Butler,

Crook county,

Mr. COFFEEN. In the absence of any representative from Crook, I mention Mr. Scott.

Mr. PRESIDENT. The resolution is that each delegation shall name their own representative, and there is no power for any one else to do their work for them.

The clerk will proceed with the call by counties.

Converse county, Mr. Barrow,

Fremont county, Major Baldwin,

Johnson county, Chas. H. Burritt,

Sheridan county, H. A. Coffeen,

Laramie county, Mr. Johnston,

Sweetwater county, Mark Hopkins,

Uinta county, C. W. Holden.

Mr. PRESIDENT. This I believe completes the call.

Mr. IRVINE. Do I understand the ruling of the president that Crook county shall at some time have the right to mention a delegate or not the right?

Mr. PRESIDENT. The chair could say that it made no ruling upon that subject, but simply stated that as the resolution provided that the delegation from each county should name their representatives, of course no other delegation than their own would have any right to name a member of the committee. They can be designated hereafter without any trouble. Is there any further business to come before the convention?

Mr. RINER. I move that Crook county at some future time be permitted to name their member of this committee.

Mr. JOHNSON. Second the motion.

Mr. PRESIDENT. Are you ready for the question? It is moved and seconded that Crook county be allowed to name their member of this committee at some future time. All in favor of the motion will say aye; those opposed no. The ayes have it, the motion prevails.

Mr. ORGAN. Mr. President, I move we adjourn until Monday morning at 10 o'clock.

Mr. BAXTER. Second the motion.

Mr. HOYT. If in order, before we adjourn I would like an opportunity to offer a resolution. It will only take a moment or two.

Mr. PRESIDENT. It is now past the noon hour, but if the gentleman from Laramie will withdraw his motion, we can take time for the resolution.

Mr. ORGAN. I withdraw my motion for the present.

Mr. PRESIDENT. The gentleman from Albany can present his resolution.

Mr. HOYT. I would preface the reading of this resolution with a few remarks. In view of the circumstances attending the calling of this convention, it has seemed to me, and perhaps it has occurred to others, that if there has been any omission, it may be proper to supply it at this time. The resolution will explain and I will read it myself, since my writing appears to be a little difficult for others to read.

Mr. ORGAN. I should like to change my motion. I will make it half past ten instead of ten. The train gets in about 10, and there will be a great many of the members coming from the west.

Mr. PRESIDENT. Is it desired that we adjourn until this question is disposed of?

Mr. ORGAN. Oh! no.

Mr. CAMPBELL. Before the motion to adjourn is made I would like to ask that I be excused on Monday, as I have business of importance to attend to in the western part of the territory.

Mr. MORGAN. Second the motion.

Mr. PRESIDENT. Is there any objection to the records showing that Mr. Campbell is excused from attending the con-

vention on Monday? There being no objection the records will so show.

Mr. Hoyt's resolution.

Whereas, It has been determined that a full record shall be made of the proceedings of this convention, with a view to its publication:

And Whereas, It is desirable that such record be so perfect as to show the successive official acts in which the convention had origin, in order that such acts may become a permanent part of its history, therefore,

Resolved, That the standing committee on printing and publication is hereby instructed to embrace in the volume of the proceedings to be so published, and as introductory thereto the following official papers, to-wit:

1. The memorial of the tenth legislative assembly requesting of congress such legislation that will enable the people of Wyoming to form a constitution and state government.

2. The certificate of the governor, chief justice and secretary of the territory, setting forth their apportionment of the number of delegates to said convention among the several districts of the territory, dated June 3, 1889, directing an election throughout the territory for the choice of delegates to a constitutional convention to meet at Cheyenne on the first Monday of September, 1889, for the purpose of forming a constitution for the state of Wyoming.

Resolved, That the constitution for Wyoming to be submitted to the people for their adoption or rejection, should be as comprehensive and general in its provisions as shall be consistent with definiteness of purpose, and that in the drafting of the provisions there should be the avoidance of details, which may be safely left to future legislation, to the end that with every necessary safeguard for interests general and vital there may also be the freedom essential to a great and growing people, in a rapidly advancing age.

Mr. PRESIDENT. You have heard the resolution read. This resolution offered by Mr. Hoyt. Are you ready for the question?

Mr. HOYT. It was my intention that this resolution should lie over under the rules.

Mr. PRESIDENT. My understanding of the request was that it should receive immediate attention. The chair has misunderstood the wish of the gentleman offering the resolution.

The resolution will lie over. The gentleman not desiring action taken at this time, the motion to adjourn will be considered by the chair.

Mr. ORGAN. I move we adjourn until half past ten Monday morning.

Mr. BAXTER. Second the motion.

Mr. RINER. I desire to make an amendment to that motion. Monday is a very busy day with me, and I don't doubt

it is with some others. I move we adjourn until 2 o'clock Monday afternoon.

Mr. PRESIDENT. The motion is to adjourn until Monday at half past ten. There is also a motion to amend that motion. Is there a second?

Mr. REID. I second the motion.

Mr. PRESIDENT. The question will first be upon the amendment, that we adjourn until 2 o'clock on Monday. Are you ready for the question?

Mr. HOYT. I hope this motion will not prevail, for I know of one member intending to be here for the Monday morning session, but who will be necessarily absent Tuesday, and that would necessitate a two days absence instead of one. That is all.

Mr. PRESIDENT. The question is upon the adjournment of the convention until 2 o'clock Monday. Are you ready for the question? All in favor of the motion will say aye. Those opposed no. The chair is in doubt. All in favor of the motion to adjourn until Monday at 2 o'clock will rise and stand until counted. The chair counts seventeen. Those opposed will rise and stand until counted. The chair counts sixteen voting in the negative. The motion prevails and the convention will adjourn until 2 o'clock Monday.

SEVENTH DAY.

Monday, Sept. 9, 1889.

Convention assembled at 2 p. m.

President Brown in the chair.

Mr. PRESIDENT. The gentlemen of the convention will come to order.

Prayer.

Mr. PRESIDENT. The secretary will proceed to call the roll.

SECRETARY. Thirty members present, Mr. President.

Mr. PRESIDENT. The secretary will read the journal for the last day's proceedings.

(Reading of the journal of the sixth day.)

Mr. PRESIDENT. Are there any changes or corrections suggested to the journal as read?

Mr. IRVINE. Mr. President.

Mr. IRVINE. With the consent of the convention, I would like to change the representation of Converse county on that last committee; I would like to change the name of Mr. Barrow to Mr. De Forest Richards. I have had some consultation with my colleagues, the only one present that is, and with the consent of the convention I would like to make the change.

Mr. PRESIDENT. Is there any objection to the change? The chair hears none. Are there any further changes or corrections to be made in the journal, as read?