

HOUSE JOURNAL

OF

The Legislative Assembly

OF THE

TERRITORY OF WYOMING.

2d
~~First~~ Session.

CONVENED AT CHEYENNE, NOVEMBER, 7th, 1871.

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HOUSE JOURNAL

OF THE

SECOND LEGISLATIVE ASSEMBLY

OF THE

TERRITORY OF WYOMING.

FIRST DAY.

HALL OF THE HOUSE OF REPRESENTATIVES, }
November 7th, 1871. }

At the regular session of the House of representatives of the second legislative assembly of the territory of Wyoming convened pursuant to law,

The House was called to order by Hon. H. Glafcke, Secretary of the territory.

The House proceeded to a temporary organization, the following named gentlemen claiming to be members elect thereof, (and holding certificates of election, signed by his excellency, the Governor), being present:

- C. E. Castle, of Uinta county.
- H. G. Nickerson, of Sweetwater county.
- Gibson Clark, of Laramie county.
- Ben Sheeks, of Sweetwater county.
- E. L. Pease, of Uinta county.
- T. J. Dayton, of Albany county.
- Ora Haley, of Albany county.
- Duncan Blair, of Sweetwater county.
- Wm. L. Kuykendall, of Laramie county.
- M. C. Brown, of Albany county.
- C. E. Willson, of Carbon county.

On motion of Mr. Sheeks, Wm. L. Kuykendall was elected Speaker *pro tem*.

On motion of Mr. Sheeks a committee of three was appointed to examine and report upon the credentials of the members present.

The chair appointed as such committee the following named gentlemen :

Messrs. C. E. Castle, Duncan Blair, Gibson Clark.

On motion of Mr. Willson, the committee on credentials were instructed to report in fifteen minutes.

On motion of Mr. Willson, the House took a recess of fifteen minutes, at the expiration of which time the House was called to order, and Mr. C. E. Castle, from the committee on credentials, presented the following report :

HOUSE OF REPRESENTATIVES, }
November 7th, 1871. }

Report of the House committee on credentials.

Your committee have the honor to report that they have examined the credentials presented by the gentlemen present and claiming to be duly elected as members of the House of representatives of the legislative assembly of Wyoming territory, and that they find that the following named gentlemen have certificates of election from the Governor of said territory, viz.:

C. E. Castle, of Uinta county.

H. G. Nickerson, of Sweetwater county.

Gibson Clark, of Laramie county.

Ben Sheeks, of Sweetwater county.

E. L. Pease, of Uinta county.

T. J. Dayton, of Albany county.

Ora Haley, of Albany county.

Duncan Blair, of Sweetwater county.

Wm. L. Kuykendall, of Laramie county.

M. C. Brown, of Albany county.

Your committee have also the honor to report that they have been informed by credible parties that Mr. M. C. Brown, of Albany county, is at this present time occupying and filling and holding an office under the United States, and they respectfully suggest that an investigation of the matter concerning the gentleman be instituted.

C. E. CASTLE,
Chairman of Committee,
DUNCAN BLAIR,
GIBSON CLARK,
Committee.

Mr. Sheeks moved that the report be accepted and the committee discharged.

The motion was lost.

On motion of Mr. Nickerson, the committee on credentials was discharged.

On motion of Mr. Sheeks, the House proceeded to the election of a clerk *pro tem*.

On motion of Mr. Willson, Warren Richardson was elected chief clerk *pro tem*.

Mr. Brown moved that a committee of three be appointed to wait upon the Chief Justice of the Territory, Judge Fisher, and to request his attendance for the purpose of administering the oath of office to the members present.

Carried.

And the chair appointed as such committee, Messrs. Brown, Nickerson and Pease.

The oath of office was then administered to the members present, by his honor, Chief Justice Fisher.

On motion of Mr. Nickerson, a committee of three on permanent organization, was appointed, with instructions to report the names of candidates for the various offices required in the permanent organization of the House.

The chair appointed as such committee Messrs. Nickerson, Castle and Clark.

Mr. Willson moved that the committee be requested to report in twenty minutes.

Agreed to.

Mr. Nickerson, from the committee on permanent organization, made the following report:

HOUSE OF REPRESENTATIVES, }
November 7th, 1871. }

Report of the committee on nominations for officers of the house.

Your committee have the honor to report that they have examined into the qualifications of aspirants for the following named offices, and they respectfully suggest that the gentlemen whose names are set opposite be elected and appointed to fill them:

For Speaker—Ben Sheeks.

For Chief Clerk—Warren Richardson.

For Assistant Clerk—H. H. Richards.

For Engrossing Clerk—E. M. Tower.

For Enrolling Clerk—N. B. George.

For Sergeant-at-Arms—G. V. Fairbanks.

For Door Keeper—Timothy Dacey.

For Foreman—Jonathan Pugh.

For Messenger—S. C. Nickerson.

For Page—John Kuykendall.

H. G. NICKERSON,
Chairman of Committee.

C. E. CASTLE,
GIBSON CLARK,
Committee.

On motion of Mr. Brown the above report was accepted and the committee discharged.

On motion of Mr. Brown the House proceeded to ballot for Speaker.

Mr. Castle nominated Mr. Ben Sheeks.

The chair appointed as tellers, Messrs. Blair and Castle.

On the first ballot Mr. Sheeks received nine votes, the whole number cast, and was declared duly elected Speaker of the House of representatives of the legislative assembly of Wyoming for the present session.

The Speaker elect was escorted to the chair by the Speaker *pro tem.*, Mr. Kuykendall.

On motion of Mr. Castle, the candidates for the various offices as nominated in the report of the committee on permanent organization were accepted as the choice of the House for the respective offices mentioned, and they were declared unanimously elected to fill said offices.

Mr. Brown moved that a committee of three be appointed to draft rules for the government of the House during the present session.

Carried.

On motion of Mr. Kuykendall the appointment of said committee was entrusted to the chair.

The Speaker appointed as such committee Messrs. Brown, Kuykendall and Willson.

The House then adjourned till Wednesday, November 8th, 1871, at two o'clock p. m.

WARREN RICHARDSON,
Chief Clerk of the House.

SECOND DAY.

HALL OF THE HOUSE OF REPRESENTATIVES, }
November 8th, 1871. }

The House met at two o'clock p. m., pursuant to adjournment. The Speaker elect in the chair.

The roll was called and eleven members answered to their names.

The following named officers elect of the House were present and took the oath of office, administered by his honor, Chief Justice Fisher:

Speaker—Ben Sheeks.

Chief Clerk—Warren Richardson.

Assistant Clerk—H. H. Richards.

Engrossing Clerk—E. M. Tower.

Enrolling Clerk—N. B. George.
 Sergeant-at-Arms—G. V. Fairbanks.
 Door Keeper—Timothy Dacey.
 Foreman—Jonathan Pugh.
 Messenger—S. C. Nickerson.
 Page—John Kuykendall.

The Speaker announced the permanent organization of the House.

Mr. Willson presented the credentials of Mr. John C. Friend, member from Carbon county, and there being no objection, he was duly sworn as a member of this House, by his honor, Chief Justice Fisher.

Mr. Kuykendall presented the credentials of Mr. John Talbot, of Laramie county, duly signed by his excellency, the Governor of the territory, and there being no objection on the part of the House, the oath of office as member of this House, was duly administered to Mr. Talbot, by his honor, Chief Justice Fisher.

Mr. Brown moved to proceed to the election of a chaplain of this House.

Carried.

On motion of Mr. Brown it was ordered that the election of chaplain be made by ballot.

Mr. Pease presented the name of Rev. J. Strong.

Mr. Kuykendall presented the name of Father Byrne.

The House proceeded to ballot for chaplain.

First ballot—Rev. J. Strong had six votes, Rev. Father Byrne had six votes.

The Speaker announced that there was no choice for chaplain of the House, and the House proceeded to a

Second ballot—J. Strong had six votes, Father Byrne had seven votes.

The Speaker announced the election of Father Byrne to the office of chaplain of the House for the present session.

Mr. Brown moved that the clerk of the House be instructed to inform the council of the permanent organization of the House.

Carried.

The following message was transmitted to the council :

HOUSE OF REPRESENTATIVES, }
 November 8th, 1871. }

To the Hon. President of the Council :

I am instructed to inform your honorable body that the House is permanently organized by the election of the following officers, viz.:

any subsequent day, and the immediate concurrence of the House is requested.

Mr. Brown moved that the House do concur in the joint resolution No. 1 of the council.

Carried.

The clerk was instructed to inform the council of the concurrence of the House in joint resolution No. 1 of the council.

On motion of Mr. Brown the chair was requested to appoint the committee mentioned in the joint resolution No. 1 of the council, to act on the part of the House.

Carried.

The Speaker appointed as such committee, Messrs. Brown, Pease, Clark.

Mr. Brown moved that the reconsideration of the motion in reference to the message to the council, be indefinitely postponed.

Carried.

On motion of Mr. Castle the house took a recess of twenty minutes.

The following message was transmitted to the council:

HALL OF THE HOUSE,
November 8th, 1871. }

To the Hon. President of the Council :

I have been directed by the Hon. Speaker of the house to inform your honorable body that the House has concurred in the joint resolution, and has appointed a committee of three members, viz.: Messrs. Brown, Pease, Clark, to confer with the committee of the council for the purposes mentioned in your communication.

Respectfully,

WARREN RICHARDSON,
Chief Clerk.

The following message was received from the council.

COUNCIL CHAMBER,
CHEYENNE, W. T., November 8th, 1871. }

Hon. Speaker, House of Representatives :

SIR: I am instructed to inform your honorable body, that, under the joint resolution, No. 1, this day forwarded to you, the president of the council has appointed as committee on the part of the council, Messrs. Foshier and Bennett.

Respectfully,

THOS. J. STREET,
Secretary of Council.

Mr. Brown, from the committee appointed to wait on the Governor, &c., submitted the following report :

To the House of Representatives :

Your committee appointed to wait on his excellency, John A. Campbell, Governor of Wyoming, in conjunction with a like committee of the council, beg leave to report, that they have waited upon his excellency, and he has named ten and a half o'clock of to-morrow as the hour at which he will be pleased to meet the two houses of the Wyoming legislature in joint session.

M. C. BROWN,
E. L. PEASE,
GIBSON CLARK.

Mr. Blair moved ~~that~~ the report be adopted.

Carried.

Mr. Kuykendall moved that the council be requested to meet the House in joint convention to-morrow morning at half past ten o'clock, at the hall of the House, for the purpose of receiving his excellency, the Governor, and that a committee of three be appointed to inform the council.

On motion of Mr. Castle the House adjourned till to-morrow morning at ten o'clock a. m.

WARREN RICHARDSON,
Chief Clerk.

THIRD DAY.

HALL OF THE HOUSE OF REPRESENTATIVES, }
Thursday, November 9th, 1871. }

The House met at ten o'clock a. m., pursuant to adjournment.
The Speaker in the chair.

Absent at roll call, Mr. Talbot.

The journals of the first and second days' proceedings were read and approved.

The Speaker appointed Messrs. Kuykendall, Brown and Dayton, a committee to wait upon the council with an invitation to meet the House in joint convention.

The following communication to the council was transmitted at the hands of the committee.

HALL OF THE HOUSE, }
November 9th, 1871. }

To the Hon. President of the Council :

I have the honor to inform the honorable council that the house of representatives respectfully invites the honorable council to meet the house in joint convention at the hall of the House this morning at half after ten for the purpose of receiving his

excellency, the Governor, and that a committee consisting of Messrs. Kuykendall, Brown and Dayton, has been appointed to wait upon the council with this invitation.

Respectfully,
 WARREN RICHARDSON,
 Chief Clerk.

Mr. Kuykendall, from the above committee, reported that the committee had attended to the duties of their appointment, and that the council had accepted the invitation of the House, and had agreed to meet the House in joint convention at half past ten o'clock this morning.

The following message was received from the council :

{ COUNCIL CHAMBER,
 November 9th, 1871.

To the Hon. Speaker of the House of Representatives :

I am instructed to inform the honorable House of representatives that the council accept the invitation to meet the House in joint convention to receive the communication of the Governor.

Respectfully,
 THOS. J. STREET,
 Secretary of the Council.

JOINT SESSION.

At half past ten o'clock the members of the council were received in the hall of the House of representatives, and the President of the council was invited to the chair by the Speaker of the House, who introduced him to the joint convention as president during the joint session of the two houses.

Mr. Brown moved that a committee of two from the House of representatives and one from the council, be appointed to wait upon John A. Campbell, Governor of Wyoming, and inform him that the two houses of the legislative assembly of Wyoming are now in joint session, and are ready to hear any communication he may have to make.

Carried.

And the president appointed as such committee, Mr. Fosher on the part of the council, and Messrs. Brown and Castle on the part of the House.

The joint committee reported, announcing the arrival of the Governor, and introducing his excellency to the president and the joint convention.

His excellency, the Governor, thereupon delivered his biennial message, addressed to the council and House of representatives :

Gentlemen of the Council and of the House of Representatives :

It is with feelings of more than ordinary gratification that I again meet the representatives of the people of Wyoming. Since the adjournment of the last legislative assembly much has been done towards the development of the resources of our territory, and many discoveries have been made which give rich promise for the future. But much remains to be done, and with you rests the responsibility of framing laws and adopting such other measures as will further the best interests of the people of a future State and add another bright star to our political galaxy. You have the example of other States and territories, and the experience gained in the two years of our own organization, to guide you, and I am confident your action during the present session will demonstrate that these examples and this experience have not been lost upon you, but will be made manifest by such measures as will redound to the benefit and permanent good, not of any particular person or association, but of the whole people of the territory, and through them to the citizens of our common country, all of whom have an interest in our fertile plains and valleys and rich mines.

I desire briefly to call your attention to some facts in relation to our grazing interests, mining resources, and other elements of wealth and prosperity which have been made manifest, and with regard to which legislation is necessary, and which should be borne in mind in all measures for the advancement of the interests of the people.

Grazing.

It would seem almost impossible to place too high an estimate upon the grazing lands of our territory. We have an area of 98,033 square miles, or 62,741,120 acres, more than two-thirds of which—territory equal in extent to all the New England States—seems specially adapted by every peculiarity of soil and climate for pastoral pursuits. Already the attention of the whole country has been attracted to these vast grazing fields. Dairy farms have been established which are proving greatly remunerative to those whose enterprise has led them to engage in this department of industry, and have demonstrated beyond a doubt that our western plains are destined ultimately to supply the demand of the whole country for butter and cheese. Vast herds of cattle have been and are being pastured upon the succulent and nutritious grasses of our plains, and shipped as beef to the eastern and western markets. Thousands of pounds of wool have been already sheared, and millions of pounds will in the future be taken from the sheep that have here immunity from disease, and find in our climate and on our soil all the requisites for their fullest development and most rapid increase. In short, every experi-

ment connected with grazing has proved an unqualified success, and made manifest the fact that upon the encouragement and proper protection of the grazer and shepherd much of our future prosperity will depend. It rests with you to enact such laws as will provide ample security for graziers, and, by protecting herds and flocks from stealing or malicious mischief, and from the introduction of diseased animals into the territory, encourage the development of this industry to its fullest extent. In furtherance of this object, I would suggest the adoption by your honorable body of a memorial to Congress praying for the passage of a law providing for the graduation of the land in the territory that is neither mineral nor agricultural, and fixing such a price on it as will justify those interested in purchasing the land for stock raising and grazing purposes.

Minerals.

I have found it impossible to obtain any definite and reliable estimate of the yield of the mines of precious metals in the territory. The Indian raids in the spring of last year and the subsequent excitement caused by the discovery of silver mines in another portion of the Rocky Mountain country, have prevented the working of the gold mines in the Sweetwater district as extensively as they would otherwise have been. In all cases where these mines have been perseveringly and intelligently worked the miners have been well repaid for their labor. Foreign capital is now being enlisted to aid in their development with most favorable results, and there is every indication that the future will show a vast increase in the yield of these mines.

Within the past few months there have been discovered, in a direction southeast of the Sweetwater mines, and some fifty miles north of Rawlins Springs, outcroppings of gold and silver ore, with other indications of an exceedingly rich mineral region. Experienced miners who have carefully prospected this section, and worked it to some extent, all bear witness to this fact, and predict that at no distant day it will prove one of the most important gold and silver bearing districts in the Rocky Mountains.

All through the range of the Black Hills, in the eastern portion of the territory, are found immense deposits of iron ore of the purest quality that has ever yet been discovered on this continent. Near Evanston, on the western borders of the territory, other deposits have been discovered. In juxtaposition with these deposits of iron ore at Evanston are the Evanston coal mines, on the western borders of that vast coal field which extends some three hundred miles from east to west, and probably from the northern to the southern boundary of the territory. On account of the absence of coal from the country east of Wyoming, as far as the Missouri river, and west to the Pacific coast, all of

which country must be supplied from the Wyoming mines, together with the vast quantities that must be consumed in manufacturing the iron taken from our hills, it would seem to me that we shall have a market for all that can be mined in the territory.

In addition to the minerals that I have enumerated, new discoveries are being constantly made of other minerals which have been hidden in our hills for untold centuries. Gypsum, lead, copper, cinnabar, graphite, and the greater part of the principal products of the mineral kingdom, are found in different localities in the territory, and there is a growing and well founded belief that we are living in one of the richest mineral regions on the continent.

It would be a great benefit to our prospectors and miners, and aid materially in the development of our resources, if assays could be more readily procured of the minerals that are from time to time discovered. The distance that our prospectors are compelled to send for assays, and the expense attendant upon procuring them, frequently deter discoverers of minerals from properly testing them, and I have no doubt that from this cause many valuable discoveries are lost to us. It is, in my opinion, worth while for you to inquire whether it would not be a judicious economy to provide by law for the appointment of a territorial assayer, to reside at some convenient and accessible point in the territory, whose duty it should be to assay samples of such minerals as are discovered in the territory, charging for his services a fee merely sufficient to cover the expense of assay, and having a salary paid from the territorial treasury.

Agriculture.

While I believe it is true that our grazing and mineral lands are in the future to form our greatest sources of wealth as a territory, there is no doubt that the farmers in our river valleys can, by a judicious system of irrigation, reap rich rewards for their labor. The cereals have been grown to advantage in many of the river valleys, and the soil and climate are very favorable to the cultivation of roots and vegetables. It is certain that the supply of food demanded by the graziers, miners and other inhabitants of our territory can be raised on our own soil.

Public Lands.

Since the last meeting of the legislature a Surveyor-General and Land Officers have been appointed for Wyoming, and they have entered upon the discharge of their duties.

I am informed by Hon. Silas Reed, Surveyor-General, that the total number of acres surveyed in the territory is 1,861,215. These lands are, with the exception of a few thousand acres, all within the twenty-mile limit of the Union Pacific Railroad land

grant, and are distributed in the counties and valleys as follows :

Laramie County—In the valleys of Crow and Lodge Pole Creeks.....	800,000 acres.
Albany County—In Laramie Plains.....	717,000 “
“ “ On Laramie Mountain.....	92,000 “
Carbon County—In valleys of Rock Creek and Medicine Bow River.....	160,000 “
Uinta County—In Bear River Valley.....	92,000 “

The surveys into sections and townships now extend from Pine Bluffs to five miles west of Carbon, on both sides of the railroad, except on top of Laramie Mountain, where only township lines are run along the mountain.

Although the land has been but a short time subject to entry, the number who have already pre-empted or entered lands as homesteads affords gratifying evidence that the permanent settlement of the territory is progressing favorably.

Indians.

A question of the greatest importance to us is our relations with the Indians, whose homes—so far as they can be said to have homes—are in this territory. Under the wise and just policy of the present administration we have been entirely free from Indian raids during the present year. While it is doubted by some persons whether any permanent peace can be secured with the Indians that is not founded upon the respect which they will have for those only who have completely subdued and conquered them, it must be admitted that, thus far, the peace policy has produced very encouraging results.

In the latter part of March of last year a raid was made by a party of Indians on the Sweetwater mining settlement, and eight citizens were murdered by them, and a number of horses and cattle stolen. The citizens of Sweetwater, having what they deemed conclusive evidence that the murders were committed by the Arapahoe tribe, organized a party of armed men to retaliate. This party met and killed some ten or twelve of the Arapahoes, but the tribe, becoming alarmed, effected their escape. Whether the citizens were right in attributing the murder of their neighbors to the Arapahoes, there is no means of ascertaining, but it is certain that, since the punishment of the tribe, there have been no further raids on the settlement.

Directly north of the Sweetwater district is the Shoshone Indian Reservation, a tract of land comprising within its limits several river valleys of arable land, easily susceptible of irrigation. The citizens of Sweetwater have been anxious to secure an abandonment by the Indians of the Little and Big Papo-Agie rivers, in the southern portion of the reservation, in order that they might

raise in them grain and vegetables for their subsistence. Upon a representation of these facts to the Honorable Secretary of the Interior, I was authorized by him to treat with the Shoshones for the surrender of the desired territory, and to cede to them, in lieu thereof, a corresponding portion of land north of their reservation. In pursuance of this authority, I met the chiefs and head men of the Shoshones, and communicated to them the desires of the people, and the consent of the authorities at Washington, for the Indians to enter into the contract. They would not, however, consent to the exchange, except upon conditions which I was not authorized to grant, and the reservation remains as originally formed. I am still in hopes something may be done by which the citizens will be enabled to acquire a title to the lands they at present occupy, and those which they desire to settle upon in the valleys.

The northeastern portion of the territory is the favorite haunt of the Northern Cheyenne, Northern Arapahoe, and several bands of the Sioux tribe of Indians. These lands comprise some twenty thousand square miles of territory, which is traversed by several rivers and their tributaries, whose fertile valleys, if properly cultivated would yield subsistence to civilized people many times the number of the non-producing savages now occupying it. A temporary agency has been established for these Indians on the North Platte River, near Fort Laramie, but it is the desire and intention of the Government to have them—as soon as possible without jeopardizing our peaceful relations with them—removed to the reservation set apart for them in Dakota and to establish their agency on the White River in that territory. When this is done, and the Indians are compelled to remain on their reservation, we can hope for permanent peace with them, and not before. Then miners will feel secure in their prospecting, and graziers and other settlers know that their lives and property are safe. And the opening to settlement of the northeastern portion of our territory—an area equal in extent to several of our States—would prove of incalculable value to us commercially and add greatly to our wealth as a territory. I would advise that Congress be memorialized on this subject.

Militia.

I desire earnestly to invite your attention to the imperative necessity that exists for the passage of a militia law. For some reason this very necessary measure was not acted upon at the last session of the legislature, and our citizens were consequently left without authority of territorial law for any armed organization for protection against the Indians. In April of last year, immediately after the raid on the Sweetwater settlements, acting under the authority conferred upon me by the Organic Act of the territory,

as commander-in-chief of the militia, I issued an order dividing the territory into three militia districts, appointing a colonel to command in each one, and investing him with authority to organize a regiment from the citizens within his command. Preliminary measures were taken to effect these organizations, and I have no doubt that, had there been occasion, a sufficient number of citizens could readily have been enlisted to protect the homes and property of the people of the territory.

At my request, a number of stand of arms were furnished by the military authorities for the use of the territory, and these arms have been distributed in the Sweetwater region, that being the section most liable to Indian incursions. The arms were distributed through the county commissioners, but should be under the control of some regularly appointed officer of the militia. And I trust that such laws will be passed during your present session as will enable the executive to take some definite action in relation to this and other matters affecting the militia.

The Military.

Our citizens have reason to be grateful, not only to the Indian department for its earnest efforts to preserve peace with the Indians, but also to the commanding officers of the military forces stationed in the territory, for their promptness in coming to our assistance whenever there appeared to be any occasion for it, and the vigor and energy they have displayed in guarding against and preparing to meet all threatened Indian attacks. Within the past two years a permanent military post has been established in the Sweetwater mining district, near Atlantic City, and the military have been at all times promptly sent to points where danger was apprehended. Nothing seems to have been left undone that would add to the security and protection of the people.

Enforcement of Laws.

It is a matter of pride and congratulation that in our new territory the tone of society is such that crime meets with no toleration whatever, and the laws are so faithfully enforced by the courts that there is no longer any excuse for the formation of vigilance committees, as was the case previous to the organization of the territory. Although these self-constituted committees for the enforcement of order and the punishment of crime had been common, there has not been a single instance of unlawful punishment of crime since our territorial organization was effected. This fact speaks volumes for our people. It is an evidence of that love of order and organized government inherent in American communities. Among the most potent auxiliaries in bringing about this state of affairs are the churches and school houses which have been erected in so many places throughout the territory.

The churches are educators alike of old and young. The moral influences they exert in an unformed and growing community cannot be over-estimated.

I respectfully invite your attention to the report and recommendations of the superintendent of public instruction for information in reference to our educational interests. I do not doubt that the schools will receive from you that liberal support and encouragement which they deserve, and which has always been accorded them by American legislators.

Fees of County Officers.

One of the most important matters which will come before you for consideration will be the large fees paid under our present laws to the several county officers throughout the territory. The pay attached to these offices is altogether disproportioned to the amount of labor performed or responsibility incurred. The duties of the county officers have, I believe, as a rule, been intelligently and faithfully performed, but, in view of the interest which all good citizens have in the faithful execution of the laws, there need be no apprehension that competent men cannot be induced to perform the duties of the offices at such decreased salaries as you may deem sufficient. The large amount that could be saved to the territory, by a judicious reduction of the fees and salaries of county officers might be advantageously employed for the good of the whole territory in supporting schools, disseminating information in relation to our resources, and in other ways made to return, by increasing our comforts and extending our business, more than four-fold the amount paid. The greatest good to the greatest number demands that this matter be remedied. At present nearly fifteen *per centum* of the revenue is absorbed before it reaches the treasury, in paying the expenses of assessing and collecting it. The system of paying the salaries of public officers by fees is unwise and impolitic, and should be avoided in all cases where it is not absolutely impracticable. As near as possible, all moneys collected from the people by taxation should be paid into the public treasury and each official paid therefrom a certain salary fixed by law. Such a course will enable the people to see exactly what amount is collected from them and how it is expended. And it would, at the same time, remove temptations for exaction and imposition on the part of officials. The treasurer is the only one of the territorial officials whose salary is in part paid by fees, and I would respectfully recommend that, in his case, so much of the law organizing the treasury department as gives the treasurer a certain *per centum* of the taxes collected, be repealed and a definite amount appropriated for his salary.

Immigration.

While I am decidedly opposed to any unnecessary multiplica-

tion of offices, I cannot but renew the recommendation contained in my last message for the passage of a law providing for the appointment of a commissioner of immigration and statistics. If this is still deemed unnecessary and impracticable, I would most earnestly advise that a sufficient sum be appropriated to be expended for the printing of pamphlets and spreading abroad information in relation to the territory. By this means I am confident that capital and an increase of immigration would be attracted to our territory, which would render certain a return far greater than the amount expended. All the wealth of our plains and valleys, and in our hills, will continue to be of as little value to the world as it has been through the ages that have passed unless the laborer and the capitalist are persuaded that their investments are sure of a return. It is for this reason that I desire the appointment of a commissioner, who will, in an authoritative form, give to the country reliable statistics in regard to the extent and variety of our resources.

Penitentiary.

At the last session of the legislature a memorial was adopted petitioning Congress for an appropriation for the erection of a penitentiary in the territory. I am pleased to inform you that Congress has acted favorably on the petition, and the building is now under contract, to be erected near Laramie City, on the site selected by the commissioners of the penitentiary appointed under the act of the legislature. It is thought by the superintendent of construction that the building will be ready for the safe keeping of criminals within less than a year. This will be of great benefit to the territory, and will relieve the treasury of a heavy burden which it now has to bear in the mileage of officers and transportation of prisoners. I would suggest the propriety of providing by law that, when the penitentiary is finished, all offenders who may be convicted under the territorial laws, shall be incarcerated in it. Under the provisions of a general law passed by the last Congress the penitentiary will, after its completion, be controlled exclusively by the United States.

Intoxicating Liquors.

The expenses of the courts in conducting criminal prosecutions for offenses against the territorial laws during the past two years, have absorbed a large share of the revenue collected. I have been assured by officers of the court that in every case that has been tried, in at least one of the counties, the origin of the crime could be directly or indirectly traced to the use of intoxicating liquors. I believe that a close investigation would show that at least nine-tenths of the crimes in the territory can be traced to this cause. No comments of mine can add weight to the terrible

significance of these facts. The remedy is at least partially in your hands, and I trust you will not hesitate to meet faithfully and fearlessly the responsibility. If it is impossible to prohibit or restrict the sale of intoxicating liquors, it is at least practicable to compel the vendors to make some return to the treasury for the expense they cause.

Gambling-Houses.

I desire to invite your attention to the law passed by the last legislature providing for licensing gambling-houses. I hope it will be repealed. We cannot afford to legalize vice. While we may be unable to prevent gambling and other vices in our midst, we can at least pay the compliment to virtue of endeavoring to do so.

Woman Suffrage.

There is upon our statute book "an act granting to the women of Wyoming territory the right of suffrage and to hold office," which has now been in force two years. Under its liberal provisions women have voted in the territory, served on juries, and held office. It is simple justice to say that the women entering, for the first time in the history of the country, upon these new and untried duties, have conducted themselves in every respect with as much tact, sound judgment, and good sense, as men. While it would be claiming more than the facts justify, to say that this experiment, in a limited field, has demonstrated beyond a doubt the perfect fitness of woman, at all times and under all circumstances, for taking a part in the government, it furnishes at least reasonable presumptive evidence in her favor, and she has a right to claim that, so long as none but good results are made manifest, the law should remain unrepealed.

Judicial Districts.

The legislature, at its last session, changed the judicial districts of the territory in such manner that the amount of labor required of the judges in the districts, as now constituted, is very unequal. I would respectfully recommend a revision of the districts, and a return to the organization originally established, in order that the labor and responsibility of the judges may be more nearly equalized.

Notaries Public.

Under the present law, the Governor can appoint but four notaries public in each county. While this number would be sufficient for the transaction of all the business, provided our population was concentrated, in the present widely-separated condition of the settlements in the several counties, greater latitude should

be permitted the executive in making appointments of notaries, in order that all the people may be accommodated.

Charitable Purposes.

No provision has been made by law for the subsistence or education of the deaf and dumb and the blind, who are or may become citizens of the territory, nor has any provision been made for the maintenance and safe keeping of the insane. It was evidently the intention of the last legislature to provide for these unfortunate classes, for a law was passed authorizing their transportation, at the expense of the territory, to an asylum, but no authority was given to any officer of the territory to negotiate for their education and maintenance. Several cases of great hardship, resulting from this state of affairs, have been reported to me. I trust that you will carry out the intention of the last legislature.

Territorial Library.

I desire to renew the recommendation contained in my last message for the passage of a law providing for the appointment of a librarian, and the establishment of a territorial library. Congress, at its last session, appropriated a sum sufficient for the purchase of a law library, and for its transportation to the territory. This library is now at the capital, but in a very insecure place, and under the control of a person not in any way legally responsible for its safe keeping. There is also a large number of miscellaneous books which have been sent to the territorial library by the secretary of the interior, together with other books which have been sent to the territory from time to time from the States and other territories. I hope that an appropriation will be made of a sum sufficient for all legitimate library expenses for the ensuing two years.

Finances.

Although the utmost economy has been observed in the management of the territorial finances, the accounts of expenditures presented to the auditor exceed the revenue some five thousand dollars. This arises partly from the fact that we have been compelled to meet the expenses of two years with the revenue of one. In order to meet the estimated expenditures for the ensuing two years, it may be necessary to increase the amount of taxation levied for territorial purposes; but it is my impression that the amount already assessed will be sufficient, provided it is more equitably distributed by the appropriation of a less amount for county, and a greater sum for territorial purposes.

It has been the desire and endeavor of all those who have had control of the territorial finances to use the most rigid economy in the disposition of the funds placed in their hands. I trust that all their efforts will be seconded by the legislature, and that

you will avoid all unnecessary expenditures and wasteful appropriations. The amount realized to the treasury from taxation is not large, and it is only by the most rigid economy that it can be made to suffice for the legitimate and necessary expenses of the territory. The people will cheerfully submit to all necessary taxation, but they at the same time demand that the money which they pay for the support of the government shall be judiciously and economically expended.

General Legislation.

I would urge upon you the importance of proceeding with the work before you as speedily as is consistent with a proper consideration of all subjects that are presented for your action. Your session is limited by law, and while the time is sufficient, if properly employed, to perfect all needful legislation, it will not permit any unnecessary delay. I hope that you will avoid the necessity that so often exists for hasty and crude legislation during the last days of the session, and that the day of adjournment will find you with your work all done, and well done. Be assured that I shall consider it no less my duty than my pleasure to assist you in any way in my power in disposing of the business that may come before you, and in all your measures for the advancement of the interests of the people.

Conclusion.

In conclusion, I cannot but congratulate you on the improved and improving condition of affairs throughout the whole of our common country. It is true that a terrible disaster has befallen our fairest western city, the one with which our interests and the interests of the whole west are so closely identified as to make it appear almost as if each one of us had suffered a personal loss. But the generous sympathy of the people of the whole world has been so nobly manifested as to make us to-day prouder than ever before of our common humanity. The wealth of the people is steadily and rapidly increasing, while the debt incurred to preserve the life of the nation is as steadily and certainly diminishing. The scars caused by the war have almost entirely disappeared, and only its blessed results of increased freedom and prosperity at home, and increased respect abroad, are seen and felt. A national administration, which has enjoyed the confidence of the people to a most unusual degree, has proved worthy of that confidence, and is receiving, wherever the people have opportunity to endorse it, renewed evidence of their approval and support. Let us keep step with this ever-forward march, and with a firm reliance on that Infinite Power, in whose hands are the destinies of all human governments, let us begin our labors, trusting that He will guide us aright.

J. A. CAMPBELL.

EXECUTIVE OFFICE, CHEYENNE, 7th November, 1871.

At the conclusion of which Mr. Steele moved that the joint convention be now dissolved.

Motion withdrawn with consent of the second.

Mr. Harrison offered the following resolution :

Resolved, That a vote of thanks be and hereby is tendered to his excellency, J. A. Campbell, Governor of Wyoming Territory, for his valuable bi-ennial message to the joint session of both houses of the legislature of Wyoming Territory as read by him in our hearing to-day.

Carried.

On motion of Mr. Steele the joint convention was dissolved.

The members of the council then retired.

The House was called to order by the Speaker.

Mr. Brown, from the committee on rules, announced that said committee would be ready to report this afternoon.

On motion of Mr. Nickerson the House took a recess till two o'clock this afternoon.

The House was called to order at two o'clock p. m., the Speaker in the chair.

Mr. Willson offered the following resolution :

Resolved, That it is the expression of the sense of this House, that one copy daily, each, to each member of this body, of the Omaha Daily *Herald*, and the Salt Lake Daily *Herald*, newspapers published in Omaha, Nebraska, and Salt Lake, Utah, be furnished, and that an appropriation be made therefor; and be it *further resolved*, That the chief clerk of the House, be, and he is hereby respectfully requested to cause the mail matter of each member of the House to be daily placed on his and their respective desks.

Mr. Nickerson offered the following amendment, "That the messenger be required to take charge of the mail, taking the same to the postoffice each day, and placing mail for the House on each member's desk.

Mr. Kuykendall moved to amend by including the *Cheyenne Daily Leader*.

Mr. Pease moved to amend by adding the *Laramie Daily Sentinel* to the list.

On motion of Mr. Brown the resolution and amendments were referred to a select committee of three members, to be appointed by the chair.

The chair appointed as such committee Messrs. Brown, Willson and Pease.

Mr. Brown, from the committee on rules, asked for further time.

Agreed to.

On motion of Mr. Kuykendall the rules of the last session of the House of representatives were adopted for the government of the House until such time as others are substituted.

Mr. Nickerson offered the following resolution, and moved its adoption.

Resolved, That 1,500 copies of the Governor's message be printed, 1,000 in English, and 500 in the German language.

Lost.

Mr. Brown offered the following joint resolution, No. 1 :

Be it Resolved by the House of Representatives, the Council concurring, That a committee of two from the House be appointed by the Speaker, to act in conjunction with a like committee to be appointed by the president of the council, to draw joint rules, for the government of the two houses, during the present session.

The resolution was carried.

Mr. Brown moved to suspend the rules and pass the joint resolution No. 1, to the second and third readings.

Carried.

The joint resolution was read the second and third time and passed.

The following communication was transmitted to the council :

HALL OF THE HOUSE,
November 9th, 1871. }

To the Hon. President of the Council :

I have the honor to inform your honorable body that the enclosed joint resolution No. 1 of House, has passed the House, and that the concurrence of your honorable body is respectfully requested.

Very Respectfully

W. RICHARDSON,
Chief Clerk of the House.

Mr. Kuykendall informed the House that Father Byrnes declined to accept the office of chaplain, at the same time thanking the House, on behalf of Father Byrnes, for the honor conferred in the appointment.

Mr. Kuykendall moved that the House do now proceed to the election of chaplain.

Carried.

Mr. Pease presented the name of Rev. J. Strong as candidate for chaplain.

Mr. Kuykendall moved that Rev. J. Strong be declared the unanimous choice of the House for chaplain during the present session.

Carried.

The chair announced the election of Mr. J. Strong, as chaplain of the House for the present session.

On motion of Mr. Brown the clerk was instructed to notify Mr. Strong of his election by the House to the office of chaplain, and also to state the hour of meeting of the House.

Carried.

The following communication was transmitted to the Rev. J. Strong :

HALL OF THE HOUSE OF REPRESENTATIVES, }
November 9th, 1871. }

To the Rev. J. Strong :

DEAR SIR:—I have the honor to inform you, (by direction of the House,) that you were this day elected, by that honorable body, to the office of chaplain, for the present session.

The morning hour, under the present rules, is half past ten, (10:30 a. m.) Please acknowledge receipt of this communication immediately. With the highest consideration,

I am, sir, your obedient servant,
W. RICHARDSON,
Chief Clerk of the House.

On motion of Mr. Pease the House took a recess of half an hour, at the expiration of which the House was called to order, and

Mr. Pease moved that the rules of the last session of the Wyoming House of Representatives be read for the information of the House.

Carried.

The rules of the last session were accordingly read.

The following message was received from the council :

COUNCIL CHAMBER, }
Cheyenne, Wyoming Territory, }
November 9th, 1871. }

To the Hon. Speaker of the House of Representatives :

I instructed by the council to inform the honorable house of representatives, that the permanent officers of the council are as follows, to-wit:

Secretary—Thomas J. Street, of Laramie.
Assistant Secretary—Alfred G. Lee, Uinta.
Enrolling Clerk—E. S. Whittier, Uinta.
Engrossing Clerk—Luke Joyce, Sweetwater.
Chaplain—Rev. Mr. Mayer, Laramie.
Sergeant-at-Arms—Robt. Hughes, Sweetwater.
Messenger—George Seymour, Laramie.
Page—Willie E. Painter, Laramie.

Respectfully,
THOS. J. STREET,
Secretary of the Council.

On motion of Mr. Kuykendall the House adjourned.

WARREN RICHARDSON,
Chief Clerk of the House.

FOURTH DAY.

HALL OF THE HOUSE OF REPRESENTATIVES, }
 Friday, November 10th, 1871. }

The House met at 10:30 a. m., pursuant to adjournment.

The Speaker in the chair.

Prayer by the chaplain.

Roll call, no absentees.

The journal of the previous meeting was read and approved.

The following message was received from the council :

COUNCIL CHAMBER, }
 CHEYENNE, November 9th, 1871. }

To the Hon. Speaker, House of Representatives :

I am instructed to notify your honorable body that the council concurs in your joint resolution No. 1, a copy whereof is herewith transmitted, and committee appointed in pursuance thereof by the council, consists of Messrs. Steele and Corlett, and that said committee is now prepared to confer with the committee of the House.

Respectfully,

THOS. J. STREET,
 Secretary of Council.

The chair appointed Messrs. Brown and Kuykendall a committee to act in conjunction with the council committee under joint resolution No. 1 of the House.

On motion of Mr. Kuykendall the House took a recess until two o'clock p. m.

The House met at two o'clock p. m.

Speaker in the chair.

Absent at roll call, Mr. Willson.

On motion of Mr. Kuykendall the House took a recess till 4:30 p. m.

House called to order at half past four.

Mr. Pease gave notice that on some future day he should introduce a bill for an act to amend the present lien law.

Mr. Brown, from the committee on rules, presented the following report :

To the House of Representatives :

Your committee appointed to draft rules for the government of the House of Representatives during the present session of the Legislative Assembly of the Territory of Wyoming, have had the subject under consideration and respectfully beg leave to report the enclosed draft of rules.

Respectfully submitted,

M. C. BROWN,
 W. L. KUYKENDALL,
 Committee.

Mr. Pease moved to adjourn.

Lost.

On motion of Mr. Nickerson the report of the committee on rules was referred to a committee of the whole house.

On motion of Mr. Kuykendall the House then resolved itself into a committee of the whole for the consideration of report of the committee on rules.

The Speaker appointed Mr. Kuykendall chairman of the committee.

The committee arose and the Speaker resumed the chair.

On motion of Mr. Pease the House adjourned.

W. RICHARDSON,
Chief Clerk of the House.

FIFTH DAY.

HALL OF THE HOUSE OF REPRESENTATIVES, }
Saturday, November 11th, 1871. }

The House was called to order at half past ten o'clock a. m.

Speaker in the chair.

Prayer by the chaplain.

Roll called, absent Mr. Willson.

Mr. Brown offered an excuse on behalf of Mr. Willson, and reported him sick.

Mr. Willson was excused by consent.

- The journal of yesterday was read and approved.

Mr. Brown gave notice that on some future day he would introduce a bill for an act to establish an immigration bureau and for other purposes; also, a bill for an act to re-establish the judicial districts within the territory of Wyoming, and to assign the judges therein.

Mr. Dayton gave notice of a bill for an act to establish a territorial hospital.

Mr. Haley gave notice that on Monday or some subsequent day he would introduce a bill for an act to prevent stock drivers from driving away stock, and for other purposes.

Mr. Nickerson gave notice of a bill for an act establishing a territorial assay office and providing for an assayer.

Mr. Kuykendall from the committee of the whole submitted the following report:

Report of the committee of the whole.

Mr. Speaker:

The committee of the whole have had under consideration the rules for the government of this House as reported by the com-

mittee on rules and regulations and report the same back to the House with some amendments, and recommend their adoption.

W. L. KUYKENDALL, Chairman.

Rule 1. The House shall meet each day of sitting at ten o'clock a. m., unless the House shall adjourn to some other hour. A majority of all the members of the House shall constitute a quorum.

Order of Business.

Rule 2. After prayer by the chaplain, calling of the roll, and the reading and approval of the journal, the order of business shall be as follows :

- 1st. Petitions and memorials.
- 2nd. Notices of bills.
- 3rd. Reports of standing committees.
- 4th. Reports of select committees.
- 5th. Messages from the Governor.
- 6th. Motions and resolutions.
- 7th. Messages from the council.
- 8th. Introduction and first reading of bills.
- 9th. Second reading and reference of bills.
- 10th. Third reading of bills.
- 11th. Unfinished business of the general order.
- 12th. Special orders of the day.
- 13th. General orders of the day.

But messages from the Governor, communications from the territorial officers, messages from the council, and reports from the committee on engrossed bills may be received under any order of business.

Petitions.

Rule 3. Petitions, memorials and other papers addressed to the House shall be presented by the Speaker or by a member in his place. A brief statement of the contents thereof shall be made verbally by the introducer. They shall not be debated on the day of their being presented, but shall lie on the table or be referred, as the House shall determine.

Bills.

Rule 4. Every bill shall be introduced by giving at least one days' notice, or by leave of two-thirds of the House, except such bill shall be introduced by a committee in accordance with a rule of the House.

Rule 5. Every bill shall receive three readings previous to its passage, the Speaker shall give notice at each reading whether it be the first, second or third reading. The first and second readings shall be on the same day unless an objection be interposed. No bill shall be amended or committed until twice read.

The first reading of a bill shall be for information, and if opposition be made to it, the question shall be: Shall this bill be rejected. If no objection be made, or if the question to reject be negatived, the bill shall then pass to its second reading without a question.

Duties of Speaker.

Rule 6. The Speaker shall take the chair at the time to which the House stands adjourned, and the House shall then be called to order, and the roll of the members called and the names of absentees shall be entered upon the House journal.

Rule 7. He shall preserve order and decorum. May speak to points of order in preference to other members rising from his seat for that purpose, and shall decide questions of order subject to an appeal to the House by any two members, on which appeal no member shall speak more than once unless by leave of the House.

Rule 8. He shall have the general direction of the hall. He shall have a right to name any member to perform the duties of the chair, but such substitution shall not extend beyond an adjournment.

Rule 9. All acts, addresses and joint resolutions shall be signed by the Speaker, and all writs, warrants and subpoenas issued by an order of the House, shall be under his hand, attested by the clerk.

Rule 10. In case of any disturbance or disorderly conduct in the lobby, the Speaker or chairman of the committee of the whole house, shall have power to order the same to be cleared.

Sergeant-at-Arms.

Rule 11. The sergeant-at-arms shall attend the House during its sittings, execute the commands of the House, and all processes issued by authority thereof, directed to him by the Speaker.

Committees.

Rule 12. The standing committees, consisting, except where otherwise specified, of three members each, shall be appointed on the following subjects:

1. Ways and Means.
2. Judiciary.
3. Federal relations.
4. Indian and military affairs.
5. Territorial affairs and internal improvements.
6. Education and public printing.
7. Counties and county boundaries.
8. Corporations and public highways.
9. Mines, minerals and public lands.

10. Agriculture and manufactures.
11. Elections.
12. Engrossment.
13. Enrollment.
14. Immigration.

Rule 13. All committees shall be appointed by the Speaker unless otherwise specially directed by the House.

Rule 14. It shall be the duty of the committee on "ways and means" to take into consideration all such reports of the treasury department, and all such propositions relative to the revenue as may be referred to them by the House. To inquire into the state of the public debt, and of the expenditures, and report from time to time their opinion thereon.

Judiciary.

Rule 15. It shall be the duty of the committee on judiciary to examine all the codes, both civil and criminal, and report to the House bills for the amendment of the same if amendments be deemed by them necessary, and all other matters touching the general laws that may be presented, or come into question and be referred to them by the House.

Elections.

Rule 16. It shall be the duty of the committee on "elections" to examine and report upon the certificates of election or other credentials of the members returned to serve in this House, and to take into their consideration all such petitions and other matters touching elections and returns as shall or may be presented or come into question and be referred to them by the House.

Indian and Military Affairs.

Rule 17. It shall be the duty of the committee on Indian and military affairs to take into consideration all subjects relating to Indian relations, military establishment and public defense which may be referred to them by the House, and report their opinion thereon.

Education.

Rule 18. It shall be the duty of the committee on education to take under their especial charge the educational interests of the territory and all matters pertaining thereto that may be referred to them by the House.

Rule 19. When a motion is made to refer any subject and different committees shall be proposed, the question shall be taken in the following order: The committee of the whole House, a standing committee, a select committee.

Rule 20. In forming a committee of the whole House, a chairman, to be named by the Speaker, shall preside. Bills committed to a committee of the whole house shall in the committee of

the whole be read by sections. All amendments shall be noted and reported to the house by the chairman. After report the bill shall again be subject to amendment before the question is taken.

Rule 21. The rules of the house shall be observed in committee of the whole so far as may be applicable, except, that the yeas and nays shall not be called, the previous question enforced nor the time of speaking limited.

Rule 22. A motion that the committee rise shall always be in order, and shall be decided without debate.

Decorum in Debate.

Rule 23. A member called to order shall immediately sit down unless permitted to explain, and the house, when appealed to, shall decide the case; if there be no appeal the decision of the chair shall be submitted to. On an appeal no member shall speak more than once without leave of the house, except when a member is called to order for offensive words spoken, in which case there shall be no debate and the member calling him to order shall repeat the words excepted to, and they shall be taken down in writing at the clerk's table, and no member shall be held to answer or subject to censure of the house for language used in debate, if any member has spoken or any other business has intervened after the words spoken and before exception shall have been taken.

Rule 24. When two or more members shall rise at once the Speaker shall name the member who is first to speak.

Rule 25. Every member when he speaks shall, standing in his place, address "Mr. Speaker," and when he has finished he shall sit down. No member shall speak more than twice during the consideration of any one question on the same day and at the same stage of proceedings without leave, except chairmen of committees upon matters reported by them; and members who have once spoken shall not again be entitled to the floor (except for explanation) to the exclusion of other members who have not spoken.

Rule 26. When the house adjourns the members shall keep their seats until the Speaker announces the adjournment.

Motions, &c.

Rule 27. No motion shall be debated until the same shall be seconded and distinctly announced by the Speaker, and it shall be reduced to writing if required by the Speaker or any member and be read by the clerk before the same shall be debated. A motion may be withdrawn at any time before amendment or decision.

Rule 28. A motion to adjourn shall always be in order except

when a member is addressing the chair, or a vote is being taken. That any motion lay on the table shall be decided without debate.

Rule 29. When a question is under debate or before the house no motion shall be received but to adjourn, to lay on the table, for the previous question, to postpone to a day certain, to commit or amend, to postpone indefinitely, which several motions shall have precedence in the order in which they are named; but the first three shall be decided without debate, and no motion to a day certain, to commit, or to postpone indefinitely being decided, shall again be allowed on the same day, and at the same stage of proceedings. A motion to strike out the enacting clause of a bill or resolution shall have precedence of a motion to amend, and if carried shall be considered equivalent to its rejection.

Rule 30. The previous question shall be in this form, shall the "main question be now put?" and its effect when sustained by a majority of the members present shall be to put an end to all debate and bring the house to a vote on the question or questions before it. On a motion for the previous question a call of the house shall be in order before a majority shall have seconded such motion, but no call shall be in order thereafter prior to the decision of the main question.

Rule 31. All incidental questions of order arising after a motion is made, for the previous question, and pending such motion or previous question, shall be decided (whether on appeal or otherwise) without debate.

Rule 32. The previous question shall only be put when demanded by three members.

Rule 33. When a question is indefinitely postponed the same shall not be again introduced during the session.

Rule 34. Any member may call for a division of the question which shall be divided, if it comprehend propositions in substance so distinct that one being taken away, a substantial proposition shall remain for the decision of the house. A motion to strike out being lost shall preclude neither amendment nor a motion to strike out and insert.

Rule 35. No motion or proposition on a subject different from that under consideration, shall be admitted as an amendment. No bill or resolution shall at any time be amended by annexing thereto, or incorporating therein any other bill or resolution pending before the house. No bills shall be printed unless ordered by a direct vote of the house.

Rule 36. In filling up blanks the largest sum and the longest time shall be first put.

Rule 37. All questions relating to the priority of business shall be decided without debate.

Rule 38. On the day succeeding that on which a final vote on any bill or resolution has been taken, said vote may be reconsidered, on the motion of any member, provided, notice of intention to move such reconsideration shall have been given on the day on which such final vote was taken, by a member voting with the majority, and it shall not be in order for any member to move a reconsideration on the day on which such final vote was taken; said motion of reconsideration shall have precedence over every other motion except a motion to adjourn. No notice of reconsideration shall be in order on the day preceding the last day of the session, but there shall be no reconsideration on a motion to indefinitely postpone.

Rule 39. The ayes and noes shall be taken when called for by three members present, and every member within the bar of the house, when his name is called, shall, unless for special reasons he be excused, declare openly and without debate, his vote. In taking the ayes and noes and upon call of the house, the names of the members shall be taken alphabetically, and the clerk shall enter on the journal the names of those demanding the ayes and noes, and the ayes and noes shall be taken on the final passage of all bills.

Rule 40. No member or other person shall remain by the clerk's table, while the ayes and noes are being called or while the votes are being counted.

Rule 41. No member shall vote on any question in the result of which he is personally interested or involved.

Rule 42. Upon a division and count of the house on any question no person without the bar shall be counted.

Rule 43. No member shall be allowed to explain his vote or discuss the question while the yeas and nays are being called, and no member shall be allowed to change his vote after the vote is announced from the chair.

Call of the House.

Rule 44. Upon a call of the house the names of the members shall be called over by the clerk, and the absentees noted, after which the names of the absentees shall again be called over. The doors shall then be shut, and those for whom no excuse or sufficient excuses are made, may, by order of those present, be taken into custody as they appear, or may be sent for and taken into custody by the sergeant-at-arms, wherever to be found, or by a special messenger to be appointed for that purpose.

Miscellaneous.

Rule 45. No standing rule or order of the house shall be rescinded or changed without a vote of two-thirds of the members present and one day's notice being given of the motion therefor; but a rule or order may be suspended temporarily by a vote of two-

thirds of the members present, except that portion of rule five relating to a third reading of bills.

Rule 46. No member shall absent himself from the service of the house without obtaining the permission of the house, except in case of sickness, and no member shall obtain leave of absence or be excused without a vote of the majority of the house.

Rule 47. No person shall be admitted within the bar of the house, except the federal officers of the territory, the territorial treasurer and auditor, judges of the supreme and district courts, members of Congress and those who have been members of Congress and the legislative council, except by special invitation on the part of the Speaker or some member; but a majority may authorize the Speaker to have the house cleared of all such persons.

Rule 48. No smoking shall be allowed within the assembly chamber during the session of the house.

Rule 49. The rules of parliamentary practice embraced in Cushing's Manual shall govern the house in all cases in which they are applicable and in which they are not inconsistent with the standing rules of the house and the joint rules and orders of the council and house of representatives.

Rule 50. The assembly room shall not be used for any public or private business other than legislative, except by permission of the Speaker.

Rule 51. It shall be in order for any member or members to protest against the action of the house and have such protest entered in the minutes.

Rule 52. All bills reported to the house by either standing or special committees after receiving their second reading shall be placed on a general file to be kept by the clerk, and no bills shall be considered by the house until the regular business shall have been gone through, and then bills shall be taken from the general file and acted upon in the order in which they were reported, unless otherwise specially ordered by the house, but engrossed bills shall be placed at the head of the file in the order in which they were received.

Rule 53. That the sergeant-at-arms shall be allowed a fee of one dollar for arresting and bringing any member into the house, and ten cents for each mile necessarily traveled, which fee shall be taxed against such member.

Rule 54. When the Speaker is putting the question no member shall walk out, or across the house, nor when a member is speaking shall any member entertain any private discourse or pass between him and the chair.

Rule 55. A majority of all the members of the house, voting for the removal of the Speaker, shall be sufficient to vacate the chair, and remove any officer of the house, and the majority of

the votes cast, if a quorum be present, shall be sufficient to sustain an appeal from the decision of the Speaker.

Rule 56. All of the clerks and other officers of the house, in addition to their ordinary duties, shall perform such other labor as may be requested of them by the Speaker.

On motion of Mr. Talbot the report was adopted.

Mr. Clark offered the following resolution :

Resolved, That a committee of three be appointed by the chair for the purpose of enquiring into the necessity existing for the present officers of the House, and that they be instructed to report to this House the measures necessary to be adopted for the payment of such officers, as are not already provided for by the general government nor by the territory, and also the rate of compensation of each of said officers.

On motion of Mr. Brown the resolution was adopted.

The Speaker appointed Messrs. Clark, Blair and Brown a committee to act under the above resolution.

By consent of the House Mr. Kuykendall gave notice that on some future day he will bring in a bill for an act to establish a fence law in Laramie county, also a bill for an act providing for terms of the probate courts and for other purposes.

Mr. Brown, from the special committee on newspapers and printing, submitted the following report :

To the House of Representatives :

Your special committee to whom was referred House resolution concerning the furnishing of newspapers for the members of the house, together with amendments proposed, have had the same under consideration, and after due examination and enquiry, your committee beg leave to report the said resolution and amendments back to the House and recommend that the same be indefinitely postponed, and that a joint resolution of the two houses be passed providing for the furnishing of newspapers and for printing such matters as in the opinion of the legislative assembly may be necessary and proper. The letter of the Hon. Secretary of the Territory is herewith submitted :

WYOMING TERRITORY,
SECRETARY'S OFFICE,
Cheyenne, November 10, 1871. }

Hon. M. C. Brown, Chairman of the Committee, of the House of Representatives :

SIR : In answer to your enquiry, I have the honor to state, that the regulations of the treasury department permit the printing of the laws and the journals of the two houses, and a limited number of bills and documents disseminating useful and important information among the people, at the expense of the United States. I am

specially instructed to notify the presiding officers of each house, that memorials, petitions, the daily calendars and minutes of the two houses and documents having no necessary connection with the duties of legislation will be excluded and *not* printed at the expense of the United States.

Very Respectfully,

H. GLAFCKE,
Secretary of the Territory.

Mr. Kuykendall moved that the report of the committee be received and the committee discharged.

Carried.

On motion of Mr. Haley the report was adopted.

By consent Mr. Pease gave notice that on Tuesday next or some subsequent day, he would introduce a bill for an act to amend Rule No. 39.

On motion of Mr. Nickerson the House adjourned till Monday, November 13, at two o'clock p. m.

WARREN RICHARDSON,
Chief Clerk of the House.

SIXTH DAY.

HALL OF THE HOUSE OF REPRESENTATIVES, }
Monday, November 13th, 1871. }

House called to order at two p. m.

Speaker in the chair.

Absent at roll call, Messrs. Brown, Dayton and Haley.

Journal of previous day read and approved.

The chair announced the standing committees for the present session, to-wit :

1. Ways and Means—Messrs. Clark, Castle and Kuykendall.
2. Judiciary—Messrs. Kuykendall, Brown and Willson.
3. Federal Relations—Messrs. Brown, Pease and Blair.
4. Indian and Military Affairs—Messrs. Talbot, Nickerson and Friend.
5. Territorial Affairs and Internal Improvements—Messrs. Pease, Blair and Haley.
6. Education and Public Printing—Messrs. Haley, Friend and Pease.
7. Counties and County Boundaries—Messrs. Castle, Haley and Talbot.
8. Corporations and Public Highways—Messrs. Dayton, Brown and Clark.
9. Mines, Minerals and Public Lands—Messrs. Nickerson, Blair and Willson.

10. Agriculture and Manufactures—Messrs. Blair, Dayton and Castle.

11. Elections—Messrs. Kuykendall, Castle and Talbot.

12. Engrossment—Messrs. Friend, Nickerson and Dayton.

13. Enrollment—Messrs. Clark, Haley and Willson.

14. Immigration—Messrs. Willson, Kuykendall and Pease.

Mr. Castle gave notice that on Wednesday next, or some subsequent day, he would introduce a bill to repeal the law granting women the right of suffrage in Wyoming territory; also, a bill declaring what property shall be exempt from execution in Wyoming territory.

Mr. Kuykendall gave notice that on some future day he would bring in a bill to organize the militia of the territory of Wyoming.

Mr. Pease gave notice that on Tuesday he would introduce a joint resolution to print 3,000 copies of the annual report of the Hon. Silas Reed, Surveyor-General of Wyoming territory, for the use of the legislative assembly; also, that on Monday next, or some subsequent day, he would introduce a bill for an act to repeal an act entitled an act to restrict gaming.

Mr. Nickerson gave notice that on Saturday next, or some subsequent day, he would introduce a bill for an act providing for an exemption law.

Mr. Willson gave notice that he would on Saturday, the 18th instant, introduce a bill to repeal a portion of an act entitled an act concerning the rate of interest in Wyoming territory, in relation to the interest on county warrants; and also, that on the same day he would introduce a bill for an act to repeal an act entitled the game law.

Mr. Kuykendall, from the committee on joint rules, submitted the following report:

To the President of the Council and Speaker of the House of Representatives:

The joint committee heretofore appointed for the purpose of preparing joint rules for the government of the two houses, have performed the duty assigned them, and agreed upon the accompanying rules, and respectfully report the same for consideration. Your joint committee recommend the adoption of the rules as reported and ask to be discharged from further consideration of the subject.

W. R. STEELE,

W. W. CORLETT,

Of the Council

W. L. KUYKENDALL,

M. C. BROWN,

Of the House.

JOINT RULES,

For the Council and House of Representatives :

Rule 1. In every case of an amendment of a bill agreed to in one house and dissented from in the other, if either house shall request a conference and appoint a committee to confer, the other house shall appoint a like committee, and such committee shall meet at a convenient hour, to be agreed upon by their respective chairmen, and shall confer upon the difference between the two houses, and shall report as early as convenient the result of their conference to their respective houses for their action.

Rule 2. When a message shall be sent from either house it shall be announced at the door by the door-keeper, and shall be respectfully communicated to the chair by the person by whom it may be sent.

Rule 3. Messages shall be sent by such persons as a sense of propriety in each house may determine to be proper.

Rule 4. Notice of the action of either house to the other shall be on paper, and under the signature of the secretary or clerk of the house from which such notice is to be conveyed.

Rule 5. After a bill shall have passed both houses it shall be duly enrolled by the enrolling clerk of the House of Representatives or of the council, as the bill may have originated in the one or the other house, before it shall be presented to the Governor of the territory.

Rule 6. When bills are enrolled they shall be examined by the enrolling committee of the house in which they originated, who shall carefully compare the enrollment with the engrossed bill as passed in the two houses, and, correcting any errors that may be discovered in the enrolled bill, make their report forthwith to the house in which the bill originated.

Rule 7. After an examination and report each bill shall be signed in their respective houses, first by the Speaker of the House of Representatives, then by the President of the Council.

Rule 8. After a bill shall have been thus signed in each house, it shall be presented by the enrolling committee of the house in which it originated to the Governor of the territory for his approval, it being first endorsed on the back of the roll by the secretary or clerk, as the case may be, certifying in which house the bill originated. The said committee shall report the day and hour of presentation to the Governor, which time shall be carefully entered on the journal of the house in which the bill originated.

Rule 9. All orders, resolutions and votes which are to be presented to the Governor of the territory for his approbation shall also, in the same manner, be previously enrolled, examined and signed, and shall be presented in the same manner, and by the

same committee, as provided in the case of bills.

Rule 10. When a bill or resolution which shall have passed in one house shall be rejected by the other, notice thereof shall be given to the house in which the same shall have been passed.

Rule 11. When a bill or resolution which has been passed in one house shall be rejected by the other, it shall not be brought in again during the same session without a notice of five days, and leave of two-thirds of that house in which it shall be renewed.

Rule 12. Each house shall transmit to the other papers on which any bills or resolutions shall be founded.

Rule 13. After each house shall have once adhered to their disagreement a bill or resolution shall be lost.

Rule 14. No bill or resolution that shall have passed the House of Representatives and Council shall be presented to the Governor for his approval on the last day of the session.

Rule 15. There shall be a joint standing committee of one from each house who shall examine all matter proposed to be printed by concurrent order, and shall report what parts of such matter it is needful to print.

Rule 16. When any bill or resolution shall be introduced in one house notice thereof shall be immediately transmitted to the other house.

On motion of Mr. Pease the report was accepted, the committee discharged and the joint rules adopted.

On motion of Mr. Kuykendall the House ordered fifty copies of the rules of the house and fifty copies of the joint rules to be printed for the use of the House.

Mr. Kuykendall moved that fifty copies of the list of the standing committees be ordered to be printed for the use of the House. Carried.

The following communication was read :

WYOMING STOCK GRAZIERS' ASSOCIATION,
OFFICE OF THE SECRETARY,
Laramie City, Nov. 11, 1871. }

Hon. Ben Sheeks, Speaker of the House of Representatives:

SIR:—I am directed by the officers of this society to extend an invitation to the members of the body over which you preside to attend their annual meeting at two o'clock p. m., the 14th day of November, at Cheyenne.

I am, sir, respectfully, your ob't serv't,

H. LATHAM, Sec'y.

On motion of Mr. Pease the House took a recess of half an hour, at the expiration of which the House was called to order by the Speaker.

The resignation of N. B. George as enrolling clerk of the House was received and read.

On motion of Mr. Pease the resignation of N. B. George as enrolling clerk was accepted, and the House proceeded to the election of an enrolling clerk to fill the existing vacancy.

Mr. Pease presented the name of Mr. W. H. Miller, and moved that Mr. Miller be elected by acclamation.

The motion prevailed, and Mr. Miller was declared elected to the office of enrolling clerk of this House for the present session.

Mr. Willson offered the following resolution :

Resolved, That the invitation of the Stock Graziers' Association, that the members of this House do visit them on the 14th instant, be accepted.

Carried.

Mr. Castle moved to adjourn.

Lost.

The following message was received from the council :

COUNCIL CHAMBER, November 13, 1871.

Hon. Speaker :

I am instructed to inform your body that the council has this day adopted the report and the rules of the joint committee without amendment, as this day reported by the committee.

Respectfully,
THOS. J. STREET,
Secretary of Council.

Mr. Kuykendall moved that his honor, Judge Fisher, be requested to attend and administer the oath of office to the enrolling clerk.

Carried.

The following message was received from the council.

COUNCIL CHAMBER, November 13, 1871.

To the Hon. Speaker of the House :

SIR : There has been introduced in the council, Council Joint Resolution No. 1, providing for printing 2,000 copies Governor's message, at territorial expense.

Council File No. 1, of Bills, by Mr. Steele.

An act exempting certain property from sale upon execution or other process ;

Also,

Council File No. 2:

An act to create a lien for mechanics and others in certain cases ;

Also,

Council File No. 3:

"An act to amend act entitled an act to provide a territorial and county revenue.

Respectfully,
THOS. J. STREET,
Secretary of Council.

His honor, Chief Justice Fisher, then administered the oath of office to W. H. Miller, enrolling clerk.

On motion of Mr. Pease the House adjourned.

WARREN RICHARDSON,
Chief Clerk of the House.

SEVENTH DAY.

HALL OF THE HOUSE OF REPRESENTATIVES, }
Tuesday, November 14th, 1871. }

House called to order at ten o'clock a. m.

Speaker in the chair.

Roll called—all the members present.

Journal of the previous day read and approved.

The Speaker appointed Mr. Clark, member of the joint committee on printing, as required by Joint Rule No. 15.

Mr. Friend gave notice that on Tuesday, or as soon thereafter as practicable, he would introduce a bill to amend an act entitled "an act to provide for elections and for other purposes.

Mr. Talbot gave notice that on some future day he would introduce a bill relating to licenses in the territory of Wyoming.

Mr. Kuykendall introduced House Bill No. 1, "to provide for regular terms of the probate courts, and for other purposes."

Read twice and referred to the committee on judiciary.

On motion of Mr. Pease the House took a recess of half an hour, after which the House was called to order by the Speaker.

On motion of Mr. Kuykendall the House adjourned.

W. RICHARDSON,
Chief Clerk of the House.

EIGHTH DAY.

HALL OF THE HOUSE OF REPRESENTATIVES, }
Wednesday, November 15th, 1871. }

The House was called to order at ten o'clock a. m.

Speaker in the chair.

Prayer by the chaplain.

Roll call—all members present.

Journal of the previous day read and approved.

Mr. Castle gave notice that on Saturday next, or some subsequent day, he would introduce a bill to make railroad companies liable for any damage to the property of the citizens of this territory done by their trains or engines; also, that he would on some future day introduce a bill to provide for the collection of a

monthly tax from the Chinese coolies or Mongolians in this territory, and for other purposes.

Mr. Talbot gave notice that on some future day he would introduce a bill to provide a herd law in the county of Laramie.

The following message was received from the council :

COUNCIL CHAMBER, November 14, 1871.

Hon. Speaker of the House :

I have the honor to inform your honorable body that there have been introduced in the council the following bills and joint resolutions :

By Mr. Fosher, Council File No. 4 :

An act defining the time when the laws of Wyoming territory shall take effect.

By Mr. Downey, Joint Resolution No. 2 :

To authorize the secretary of the territory to procure from public printer at Washington City, D. C., 3,000 copies of Surveyor-General Reed's annual report, to be circulated by the legislature and paid for by the territory.

By Mr. Fosher, Joint Resolution No. 3 of Council :

Concerning the enacting clause of all bills.

Very respectfully,

THOS. J. STREET,
Secretary of Council.

Mr. Haley asked to be excused from further attendance upon the House this forenoon.

On motion of Mr. Brown Mr. Haley was excused.

The report of the territorial auditor was received and a portion of the same read.

On motion of Mr. Brown the further reading of the report was dispensed with, and the report ordered to be spread upon the journal.

The following report of the territorial treasurer was received :

CHEYENNE, W. T., Nov. 13, 1871.

To the Hon., the House of Representatives of the Legislative Assembly of Wyoming Territory :

GENTLEMEN :—I have the honor to enclose herein my report of the transactions of the territorial treasury from the organization of the treasury department to October 1st, 1871.

Very respectfully, your obedient servant,

JOHN W. DONNELLAN, Treasurer.

On motion of Mr. Brown the reading of the treasurer's report was dispensed with and the same was ordered to be spread upon the journals.

Mr. Brown (by consent) gave notice that he would at an early day introduce an act to amend an act entitled an act for the organization of school districts, schools and other purposes ; also,

that he would at an early day introduce a bill for an act to authorize the board of county commissioners of the county of Albany to issue bonds for the outstanding indebtedness of Albany county and to provide a fund for the payment of the same.

Mr. Kuykendall gave notice (by consent of the House) that he would on some future day introduce a bill to establish the courts of, and define the jurisdiction of justices of the peace.

Mr. Pease moved that a committee of three members be appointed to wait upon the honorable secretary of the territory and request him to provide suitable committee rooms for this house.

Carried.

The Speaker appointed as such committee Messrs. Pease, Nickerson and Friend.

On motion of Mr. Willson Mr. M. C. Brown was added to the committee.

On motion of Mr. Pease, Mr. Willson was added to the committee.

Mr. Kuykendall offered the following motion :

HOUSE OF REPRESENTATIVES, }
November 15th, 1871. }

That the special committee appointed to wait upon the secretary of the territory be also instructed to request him to furnish tables and other articles not required to be furnished by the government for the use of the engrossing and enrolling clerks of this House. The expense of the same to be paid for by an appropriation out of the territorial treasury.

Mr. Brown moved to amend by inserting a clause requesting the honorable secretary of the territory to furnish all the stationery that may be necessary for the use of the enrolling and engrossing clerks, at the expense of the United States.

Carried.

The motion as amended prevailed.

Mr. Willson moved a recess of thirty minutes.

Lost.

On motion of Mr. Willson the House took a recess till two p. m.

The House was called to order at two o'clock p. m.

Speaker in the chair.

Roll called—all the members present.

On motion of Mr. Willson the rules were suspended and the action of the House ordering the report of the territorial auditor to be spread on the journal reconsidered.

On motion of Mr. Kuykendall the reports of the territorial auditor and treasurer were laid on the table.

Mr. Brown (by consent) introduced H. B. No. 2, a bill for an act entitled an act to re-establish the judicial districts in the ter-

ritory of Wyoming, assigning the judges thereto and providing for holding courts therein.

Read first and second time, and on motion of Mr. Brown referred to committee on engrossment and ordered to be engrossed.

Mr. Nickerson (by consent) introduced H. B. No. 3, entitled an act to establish a territorial assay office in the territory of Wyoming.

Read first and second time, and on motion of Mr. Knykendall referred to committee on mines and minerals.

The following message was received from the council.

COUNCIL CHAMBER, November 15, 1871.

To the Hon. Speaker of the House:

I have the honor to notify your honorable body that on to-day there was introduced in the council, by Mr. Corlett, Council File No. 5 of bills, entitled a bill for an act to amend an act entitled "an act respecting notaries public."

Respectfully,
THOS. J. STREET,
Secretary of Council.

Mr. Talbot moved to adjourn.

Lost.

Mr. Pease from the special committee appointed to wait upon the honorable secretary of the territory in reference to furnishing a committee room and providing stationery for the enrolling and engrossing clerks, submitted the following report:

To the House of Representatives:

Your special committee appointed to wait upon the honorable secretary of the territory, and to request that he furnish stationery for the use of the enrolling and engrossing clerks of the House, and to furnish tables for their use at the expense of the territory, beg leave to state that they have performed the duty assigned, and find that the secretary will furnish all necessary stationery for the said clerks of the House at the expense of the United States, and that he will at once order tables for their use, to be placed in the committee room of the House, it being understood that the expense incurred by the latter will be provided for by an appropriation made by the legislative assembly for that purpose.

Your committee would further report that they find the committee rooms set apart for the use of the House in a very uninviting condition, and that inasmuch as the secretary declines to make repairs and fit up the same, your committee would respectfully recommend that steps be taken by the House to have the said committee room fitted up and put in proper condition for the use of the members of this House, and that an appropriation be made therefor.

Your committee respectfully beg leave to submit the foregoing report and ask to be discharged.

Respectfully,

E. L. PEASE,

Chairman of Committee.

On motion of Mr. Castle the report was accepted and the committee discharged.

On motion of Mr. Pease the House adjourned.

WARREN RICHARDSON,

Chief Clerk of the House.

NINTH DAY.

HALL OF THE HOUSE OF REPRESENTATIVES, }
Thursday, November 16th, 1871. }

House called to order at ten o'clock a. m.

The Speaker in the chair.

Prayer by the chaplain.

Roll call, no absentees.

The journal of the previous day was read and approved.

Mr. Blair gave notice that at some future day he would introduce a bill to establish a price by law for coal land and for the protection of discoverers of the same and for other purposes.

Mr. Nickerson gave notice that on Monday next, or as soon thereafter as convenient, he would introduce a bill for an act to amend an act entitled "an act to provide for the development of the mining resources of the territory.

Mr. Brown gave notice that he would at an early day introduce a bill for an act entitled an act to amend the code of civil procedure of Wyoming territory.

Mr. Friend, from the committee on engrossed bills made the following report :

To the House of Representatives :

Your committee on engrossment would respectfully report back to the House, House Bill No. 2, as correctly engrossed.

JNO. C. FRIEND, Chairman.

Mr. Kuykendall, from the committee on judiciary, submitted the following report :

Mr. Speaker :

Your committee on judiciary, to whom was referred House Bill No. 1, a bill for an act to provide for regular terms of the probate courts and for other purposes, have had the same under consideration and report it back to the House with the following amendment (to be inserted as Section No. 11, and the other sections made to correspond as to number).

SECTION 11. "Each judge of probate shall reside at the county seat of their respective counties for the purpose of attending to the duties of such judge of probate as may be required by law, and upon failure or refusal so to do, his office may be declared vacant after due and personal notice, and a special election may be ordered by the board of county commissioners to fill such vacancy,"

And recommend the passage of the bill as amended.

W. L. KUYKENDALL, Chairman.

On motion of Mr. Kuykendall the report was adopted.

Mr. Clark, from the special committee appointed under a resolution of the House concerning officers of the House and their compensation, submitted the following report :

To the House of Representatives :

Your committee to whom was referred a resolution instructing them to inquire into the necessity for the present officers of the House, and to report what measures are necessary for the House to adopt for the payment of said officers, have had the subject matter under consideration and respectfully beg leave to report, that in the opinion of your committee the officers of the House as elected are all necessary for the convenience of the House and the rapid dispatch of business. By communication with the secretary of the territory we find that one secretary, one assistant secretary, one sergeant-at-arms, one messenger, one foreman and one chaplain will be paid by the United States, the sum of three dollars per day, except the chaplain, whose pay will be one and a half dollars per day.

Your committee believe in the old rule that "the laborer is worthy of his hire," and that "compensation" means payment for services performed; that the pay allowed by the general government to the officers of the legislative assembly is not proportionate to the services rendered, and your committee respectfully recommend that in a bill providing for general appropriations, increased pay be allowed said officers in such sums as in the opinion of the legislative assembly shall be commensurate with the service rendered.

Your committee further find that the enrolling and engrossing clerks, door-keeper and page are entirely unprovided for by the general government; your committee would therefore recommend that in the said general appropriation bill, provision be made for the payment of a reasonable salary to those officers. Your committee respectfully submit the foregoing report together with the communication of the Hon. H. Glafcke, secretary of the territory, and ask to be discharged.

GIBSON CLARK, Chairman.

WYOMING TERRITORY,
 SECRETARY'S OFFICE,
 Cheyenne, November 11, 1871. }

Hon. Gibson Clark, Chairman of Committee, House of Representatives :

SIR :—In answer to your communication of to-day I have the honor to state, that the regulations of the United States Treasury Department specify the following officers for each house, to whom no more than three dollars per day shall be paid, viz.:

One secretary, one assistant secretary, one sergeant-at-arms or door-keeper, one messenger, one foreman. It has also been usual to allow one dollar and fifty cents for a chaplain to each House.

Very Respectfully, your obedient servant,

H. GLAFCKE,
 Secretary of the Territory.

On motion of Mr. Nickerson the report was accepted and the committee discharged.

On motion of Mr. Brown the report of the special committee on officers of the House was referred to the committee on ways and means.

Mr. Castle introduced House Bill No. 4, for an act to repeal chapter (31) thirty-one of the laws of the first legislative assembly of the territory of Wyoming.

Read first and second times, and

Mr. Kuykendall moved that the bill be ordered to be engrossed.

Mr. Brown moved to amend by striking out the words "to be engrossed" and inserting the words "referred to the committee on immigration."

Mr. Willson moved the previous question.

Carried.

The motion to amend was lost.

The motion to engross was carried.

On motion of Mr. Brown H. B. No. 1, an act to provide for regular terms of the probate courts and for other purposes, was ordered to be engrossed.

Mr. Brown called for the third reading of H. B. No. 2, a bill for an act to re-establish the judicial districts in the territory of Wyoming, assigning the judges thereto and providing for holding courts therein.

On motion of Mr. Castle H. B. No. 2 was laid on the table.

On motion of Mr. Brown the House adjourned.

WARREN RICHARDSON,
 Chief Clerk of the House.

TENTH DAY.

HALL OF THE HOUSE OF REPRESENTATIVES, }
 Friday, November 17th, 1871. }

House called to order at ten o'clock a. m.

Speaker in the chair.

Prayer by the chaplain.

Roll called, absent Mr. Talbot.

The journal of the previous day was read and approved.

Mr. Clark gave notice that on Tuesday next, or some subsequent day, he would introduce a bill entitled an act for the repeal of chapter fifty-three (53) of the laws of Wyoming, entitled an act increasing the salaries of the judges of the supreme court.

Mr. Brown gave notice that he would at an early day introduce a bill for an act entitled an act apportioning the territory of Wyoming into council and representative districts and providing for representation therein.

Mr. Friend, from the committee on engrossment, submitted the following report :

To the House of Representatives :

Your committee on engrossment would respectfully report back to the House, House Bills Nos. 1 and 4, as being correctly engrossed.

Respectfully,

JNO. C. FRIEND, Chairman.

Mr. Kuykendall introduced H. B. No. 5, an act to authorize the formation of volunteer militia companies, &c.

Read first and second times, and on motion of Mr. Willson ordered to be printed.

On motion of Mr. Kuykendall House Bill No. 1, "an act to provide for regular terms of the probate courts and for other purposes," was read a third time and put upon its final passage.

The ayes and noes were called upon the question of the final passage of the bill :

Ayes—Messrs. Brown, Blair, Castle, Clark, Dayton, Friend, Haley, Kuykendall, Nickerson, Pease, Willson and Mr. Speaker—12.

Nays—None.

Absent—Mr. Talbot.

The Speaker announced the passage of the bill.

Mr. Willson moved that H. B. No. 4, an act to repeal chapter thirty-one (31) of the laws of the first legislative assembly of Wyoming be referred to a committee of the whole, and be made the special order for Monday evening at seven o'clock.

Mr. Kuykendall moved to amend by striking out the assignment of special order, and inserting "and that the House do now resolve itself into a committee of the whole for the consideration of said bill."

The motion as amended prevailed.

The House then went into committee of the whole. The Speaker called Mr. Dayton to the chair.

The Speaker resumed the chair to receive the following messages from the council :

COUNCIL CHAMBER, November 16, 1871.

Hon. Speaker of the House :

I am instructed to notify the honorable house that in obedience to Joint Rule No. 15, the President of the Council has appointed as member of the committee therein provided for, on the part of the council, Mr. Bennett, of Carbon county.

Respectfully,

THOS. J. STREET,
Secretary of Council.

COUNCIL CHAMBER, November 17, 1871.

To the Hon. Speaker of the House :

SIR :—I have the honor to inform your honorable body that in the council Mr. Fosher this day introduced Council File No 6 of bills, entitled an act for repealing Chapter No. 27 of the statutes of Wyoming, entitled an act to restrict gaming.

Respectfully,

THOS. J. STREET,
Secretary of Council.

At twenty minutes past twelve the committee rose, the Speaker resumed the chair, and on motion of Mr. Dayton the House took a recess till two p. m.

The House was called to order at two p. m.

Speaker in the chair.

Absent at roll call, Mr. Talbot.

Mr. Dayton from the committee of the whole submitted the following report :

Mr. Speaker :

Your committee of the whole beg leave to report that they have had the matters referred to them under consideration and would respectfully report progress and ask leave to sit again.

T. J. DAYTON, Chairman.

On motion of Mr. Brown the report was accepted.

On motion of Mr. Kuykendall the House went into committee of the whole for the further consideration of H. B. No. 4.

Mr. Dayton was called to the chair.

The committee rose at four p. m., and the Speaker resumed the chair.

Mr. Dayton, from the committee of the whole, submitted the following report :

Mr. Speaker :

Your committee of the whole to whom was referred House Bill

No. 4, have had the matter under consideration and beg leave to report the bill back to the house, and recommend its passage.

On motion of Mr. Pease the report was accepted and the committee discharged.

On motion of Mr. Castle H. B. No. 4, an act to repeal chapter 31 of the laws of the first legislative assembly of the territory of Wyoming was read the third time and put upon its final passage.

The ayes and noes were taken upon the final passage of the bill.

Ayes—Messrs. Blair, Castle, Clark, Dayton, Friend, Kuykendall, Pease, Willson and Mr. Speaker—9.

Noes—Messrs. Brown, Haley and Nickerson—3.

Absent and not voting, Mr. Talbot.

The Speaker announced the passage of the bill.

On motion of Mr. Willson the House adjourned.

WARREN RICHARDSON,
Chief Clerk of the House.

ELEVENTH DAY.

HALL OF THE HOUSE OF REPRESENTATIVES, }
Saturday, November 18th, 1871. }

House was called to order at ten o'clock a. m.

Speaker in the chair.

Prayer by the chaplain.

Roll call—all members present.

Journal of the previous day read and approved.

Mr. Talbot asked to be excused from non-attendance upon yesterday's session.

On motion of Mr. Brown Mr. Talbot was excused.

Mr. Haley gave notice that on Monday next, or some subsequent day, he would introduce a bill entitled "an act to amend the estray law."

Mr. Nickerson, from the committee on mines and minerals and public lands, submitted the following report:

Mr. Speaker:

Your committee on mines, minerals and public lands, to whom was referred House Bill No. 3, for "an act to establish a territorial assay office," have had the same under consideration and report it back with the following amendments and recommend its passage:

1st. In section 1st the words "the capital of the territory" be stricken out and left blank.

2nd. Section two stricken out.

3rd. In section 4th the words "two dollars" changed to four dollars.

4th. Section 10th stricken out.

5th. Section 11th stricken out.

6th. Section 12th amended so as to read, "There shall be appropriated the sum of one thousand dollars to," &c.

7th. Numbering of sections changed, dropping those stricken out.

Respectfully,

H. G. NICKERSON, Chairman.

On motion of Mr. Friend, House Bill No. 3, together with the proposed amendments was ordered to be printed as amended.

Mr. Castle introduced H. B. No. 6, "a bill for an act concerning the liabilities of railroad companies.

Read first and second times and referred to the committee on judiciary.

Mr. Castle introduced H. B. No. 7, "a bill for an act to regulate the revenue law of the territory of Wyoming.

Read first and second times and referred to the committee on ways and means.

Mr. Willson introduced H. B. No. 8, "a bill for an act to amend an act concerning the rate of interest."

Read first and second times and referred to the committee on ways and means.

Mr. Willson introduced H. B. No. 9, "a bill for an act to repeal an act entitled the game law."

Read first and second times and referred to the committee on territorial affairs and internal improvements.

On motion of Mr. Haley the House adjourned till Monday next at two o'clock p. m.

WARREN RICHARDSON,
Chief Clerk of the House.

TWELFTH DAY.

HALL OF THE HOUSE OF REPRESENTATIVES,
Monday, November 20th, 1871. }

The House was called to order at two o'clock p. m.

Speaker in the chair.

Prayer by the chaplain.

Roll called—all the members present.

Journal of the previous day read and approved.

Mr. Pease gave notice that he would on some future day introduce a bill for "an act to locate the capital at Evanston."

Mr. Willson gave notice that on Thursday, the 23d instant, he would introduce a bill for "an act for the better protection of immigration."

The following message was received from the council.

COUNCIL CHAMBER,
CHEYENNE, November 18th, 1871. }

To the Hon. Speaker of the House:

SIR:—I have the honor to inform the honorable house that the enclosed engrossed bill, C. F. No. 1, entitled "an act exempting certain property from sale upon execution or other process," has this day passed the council.

Very respectfully,
THOS. J. STREET,
Secretary of Council.

The following report was submitted from the committee of ways and means.

HOUSE OF REPRESENTATIVES,
November 20th, 1871. }

To the Hon. Speaker of the House of Representatives:

SIR:—Your committee on ways and means to whom was referred House Bill No. 8, entitled "an act to amend an act concerning the rate of interest," have the honor to report that they have had the said bill under consideration and report it back to the House with the recommendation that it do not pass.

Very Respectfully,
GIBSON CLARK, Chairman.

On motion of Mr. Brown the report was accepted.

Mr. Pease, from the committee on territorial affairs and internal improvements, reported progress and asked further time.

Mr. Brown introduced the following resolution concerning printing, and moved its adoption:

Be it Resolved by the House of Representatives of Wyoming Territory:

1st. That the secretary of the territory be, and he is hereby requested to furnish this house with 500 sheets Congress letter paper with printed heads for the use of the members:

2nd. That he also be requested to furnish 250 sheets of the same kind of paper, with printed heads, for the use of the chief clerk of this house in his official intercourse with the council:

3rd. That he be also requested to furnish 500 rolls for taking eyes and noses, calling the roll, &c.;

4th. That the secretary be furnished by the clerk with a copy of this resolution.

The resolution was adopted.

The following message was received from the council:

COUNCIL CHAMBER,
Cheyenne, November 20, 1871. }

To the Hon. Speaker of the House:

SIR:—I have the honor to inform you that the enclosed Joint Res-

olution No. 2 of Council File, has this day passed the council, and is herewith transmitted for your concurrence.

Very respectfully,

THOS. J. STREET,
Secretary of Council.

Council File No. 1:

"An act exempting certain property from sale upon execution or other process,"

Was taken up and read the first and second times, and

On motion of Mr. Brown referred and ordered to be printed.

The Speaker referred the bill to the committee on judiciary.

Mr. Talbot introduced H. B. No. 10, for an act to amend an act concerning county licenses.

Read first and second times and referred to the committee on ways and means.

On motion of Mr. Willson the rules were suspended, and

Mr. Blair presented a Joint Resolution No. 2, of H. F., to memorialize Congress on the subject of coal lands in this territory.

Read first time.

Mr. Willson introduced a bill for an act to encourage immigration.

Read first time, and

On motion of Mr. Brown the bill was rejected.

Joint Resolution No. 2 of the council, in reference to printing 5,000 copies of the Surveyor-General's report was taken up, read first and second times, and

On motion of Mr. Kuykendall the rules were suspended and the C. J. R. No. 2, read the third time and put upon its passage.

The ayes and noes were demanded by Messrs. Brown, Nickerson and Haley.

Ayes—Messrs. Blair, Castle, Pease, Talbot, Willson and Mr. Speaker—6.

Noes—Messrs. Brown, Clark, Dayton, Friend, Haley, Kuykendall and Nickerson—7.

So the J. R. No. 2 of council was rejected.

On motion of Mr. Castle the House adjourned.

W. RICHARDSON,
Chief Clerk of the House.

THIRTEENTH DAY.

HALL OF THE HOUSE OF REPRESENTATIVES, }
Tuesday, November 21st, 1871. }

House called to order at ten o'clock a. m.

Speaker in the chair.

Prayer by the chaplain.

Absent at roll call, Mr. Pease.

The journal of the previous day was read and approved.

The Speaker invited Mr. Willson to the chair.

On motion of Mr. Clark the rules were suspended, and the vote of the house yesterday upon C. J. R. No. 2 was reconsidered.

On motion of Mr. Nickerson C. J. R. No. 2 was amended by striking out the words five thousand and inserting the words three thousand, and

On motion of Mr. Kuykendall the joint resolution as amended was put upon its passage.

The ayes and noes were taken.

Ayes—Messrs. Brown, Blair, Castle, Clark, Dayton, Friend, Haley, Kuykendall, Nickerson, Pease, Talbot, Willson and Mr. Speaker—13.

The Speaker announced the passage of C. J. R. No. 2, (concerning the printing of 3,000 copies of Surveyor-General's report) as amended.

The following message was received from the council:

COUNCIL CHAMBER,
Cheyenne, November 20th, 1871. }

To the Hon. Speaker of the House :

SIR:—I have the honor to inform the honorable house that the following bills, to-wit: Council File No. 2, entitled an act to create a lien for mechanics and others, in certain cases are herewith enclosed; also, Council File No. 4, entitled an act defining the time when the laws of Wyoming territory shall take effect; and herewith enclosed also, Council File No. 5, entitled an act to amend an act entitled an act respecting notaries public, and herewith enclosed, and also, joint resolution No. 3 of C. F., which is also enclosed, have all this day passed the council, and are transmitted for your action thereon.

Respectfully,

THOS. J. STREET,
Secretary of Council.

Mr. Brown introduced H. B. No. 12, "a bill for an act to legalize the action of the board of county commissioners of Albany county, and for other purposes."

Read first and second times and referred to committee on judiciary, and ordered to be printed.

H. B. No. 8, "a bill amendatory of an act concerning the rate of interest, was read a third time, and

On motion of Mr. Brown the report of the committee on ways and means, submitted yesterday, in reference to said bill, viz.: "that it do not pass," was adopted.

J. R. No. 2 of H., and memorial relating to price of coal lands, was read second time, and

On motion of Mr. Shocks the same was referred to the committee

on mines, minerals and public lands.

Council Bill No. 2, "An act to create a lien for mechanics and others in certain cases," was taken up and read the first and second times.

Mr. Pease moved that the same be printed and referred to the proper committee.

Carried,

And bill referred to committee on judiciary.

Council Bill No. 4, an act defining the time when the laws of Wyoming territory shall take effect was taken up.

Read first and second time and referred to the committee on judiciary.

Council J. R. No. 3, concerning the enacting clause of bills, was taken up,

Read first and second time and referred to the committee on judiciary.

Council Bill No. 5, "an act to amend an act respecting notaries public," was taken up,

Read first and second time and referred to committee on counties and county boundaries.

On motion of Mr. Kuykendall the House took a recess till two p. m.

House called to order at two p. m.

All present.

Mr. Kuykendall, from the committee on judiciary submitted the following reports :

Mr. Speaker :

Your committee on judiciary to whom was referred Joint Resolution No. 3, Council File, relating to the enacting clause of bills, beg leave to report the same back and recommend its adoption.

W. L. KUYKENDALL, Chairman.

Mr. Speaker :

Your committee on judiciary, to whom was referred Council Bill No. 4, "a bill for an act defining the time when the laws of Wyoming territory shall take effect," have had the same under consideration and beg leave to report it back to the House with a recommendation that it do not pass.

W. L. KUYKENDALL, Chairman.

The chair ruled that in the absence of any action by the House the reports would be considered received and lie over for consideration to-morrow.

Mr. Pease, from the committee on territorial affairs and internal improvements, submitted the following report :

Hon. Speaker of the House of Representatives :

Your committee on territorial affairs have had H. B. No. 9 in consideration, and respectfully report it back to the House with the recommendation that it do not pass.

Respectfully, E. L. PEASE, Chairman.

On motion of Mr. Brown the report was adopted.

The following message was received from the council :

COUNCIL CHAMBER,
Cheyenne, —————, 1871. }

To the Hon Speaker of the House :

SIR:—I have the honor to inform your honorable body that there has been introduced in the council the following bills :

By Mr. Steele, C. F. No. 7 :

“Entitled an act apportioning the territory of Wyoming into council and legislative districts,” and for other purposes.

Also,

By Mr. Steele, C. F. No. 8 :

“A bill for an act to give to the representatives of deceased persons a right of action in certain cases.

Respectfully,

ALFRED G. LEE,
Asst. Secretary of Council.

Mr. Nickerson, from the committee on mines, minerals and public lands, reported J. R. of H. No. 2, and memorial, relating to coal lands, and recommended that the same be so amended as to limit the amount of land sold to each purchaser under the provisions of the proposed act of Congress to 160 acres and recommended its passage as amended.

On motion of Mr. Brown the report, together with the J. R. No. 2 of H. and memorial in relation to price of coal lands was referred to a committee of the whole house.

On motion of Mr. Nickerson the House then resolved itself into a committee of the whole for the consideration of J. R. No. 2 of H., as reported upon by the committee on mines, minerals and public lands.

Mr. Nickerson was appointed chairman of the committee.

The Speaker resumed the chair to receive the following communication from his excellency, the Governor :

WYOMING TERRITORY,
EXECUTIVE DEPARTMENT,
Cheyenne, November 21, 1871. }

To the Honorable, the Speaker of the House of Representatives :

SIR:—I have the honor to transmit to the Honorable House of Representatives a certified copy of the preamble and resolutions adopted by the “National Immigration Convention,” assembled at Indianapolis, Indiana, on the 23d day of November, 1870.

I am requested by that convention to ask your most careful consideration of the spirit and intent of these resolutions, with the hope that the unqualified sanction of the people of Wyoming may be accorded, and in such manner as shall secure the earnest co-operation of her delegate in Congress in securing the enactment of such laws as will afford to the immigrant while *in transitu* the national protection he is so justly entitled to receive.

I have the honor to be, sir, very respectfully,

Your obedient servant,

J. A. CAMPBELL.

The committee rose at two o'clock and fifty-five minutes.

Mr. Nickerson, from the same, reported to the House as follows :

To the Hon. Speaker of the House :

Your committee of the whole, to whom was referred H. J. R. No. 2 and memorial, relating to coal lands, have had the same under consideration and would respectfully report the same back to the House and recommend its reference to the committee on judiciary. Respectfully,

H. G. NICKERSON.

On motion of Mr. Pease the report was adopted and the matter so referred.

On motion of Mr. Friend the House adjourned.

WARREN RICHARDSON,

Chief Clerk of the House.

FOURTEENTH DAY.

HALL OF THE HOUSE OF REPRESENTATIVES, }
November 22nd, 1871. }

The House was called to order at ten o'clock a. m.

Prayer by the chaplain.

Roll called—all the members present.

The journal of the previous day was read and approved.

The following message was received from the council :

COUNCIL CHAMBER,

Cheyenne, —————, 1871. }

To the Hon. Speaker of the House :

SIR :—I have the honor to inform your honorable body that the following bills have been this day introduced in the council :

By Mr. Corlett, C. F. No. 9 :

A bill for an act to amend an act entitled an act concerning county licenses ;

Also, C. F. No. 10 :

A bill for an act to prevent frauds and perjuries ;

Also, C. F. No. 11 :

A bill for an act for the protection of stock in Wyoming terri-

tory and to punish certain offenses concerning the same.

Respectfully,

A. G. LEE,

Asst. Secretary Council.

Mr. Blair gave notice of "a bill for an act to encourage the development of certain resources of wealth and industry in this territory.

Mr. Nickerson gave notice of a bill to amend an act entitled "an act defining the official year of county and precinct officers, and for other purposes."

Mr. Willson gave notice of a bill for an "act to provide for locating and establishing a territorial wagon road from Rawlins, in Carbon county, to the Seminole gold mining district.

Mr. Castle, from the committee on counties and county boundaries submitted the following report :

Mr. Speaker :

I have the honor to report that your committee on counties and county boundaries, have had under consideration Council File No. 5, (a bill for an act to amend an act entitled "an act respecting notaries public") and would respectfully recommend that it pass the House.

C. E. CASTLE, Chairman.

On motion of Mr. Kaykendall the report was accepted.

Mr. Nickerson, from the committee appointed by the honorable secretary of the territory to inspect the books and accounts of the territorial auditor and treasurer, submitted the following report and the accompanying minority report of said committee :

CHEYENNE, W. T., }
November 21st, 1871. }

To the House of Representatives :

We the undersigned members of a committee appointed by the secretary of the territory in pursuance of the law as provided by section seven, laws of Wyoming, page 321, title 5, of an act to organize and establish a territorial treasury department, have the honor to report that we have carefully examined the books and accounts of the auditor and treasurer, compared all vouchers and receipts with the entries made and find them to agree in every particular, and find all expenditures made in accordance with the provisions of the law, and that we have carefully compared the books with the reports of the auditor and treasurer, and find them to correspond with said reports already submitted to both houses, and we would respectfully recommend that their accounts be settled by having the proper entries as provided by section 9, title 5, of the act aforesaid.

Respectfully submitted,

H. G. NICKERSON,
ORA HALEY.

To the Hon. President of the Council and Speaker of the House of Representatives of the Territory of Wyoming:

Your committee appointed by the honorable secretary of the territory for the purpose of settling with the auditor and treasurer under the provisions of chapter 23 of the session laws of one thousand eight hundred and sixty-nine, would respectfully beg leave to report that they have examined the books and accounts of said officers, and find the following facts, which they deem it their duty to present to the legislative assembly. Your committee are to some degree influenced by the fact that this is the first report ever made under the provisions of the act to establish a territorial treasury. That the questions of taxation and expenditures, both territorial and county, is one of almost paramount importance to the people of the territory, and that irregularities which may add to the cost of maintaining the territorial government should not be allowed to grow into precedents which shall be claimed as a justification for illegal dealings with the public funds by future officers of this department.

Your committee find that the auditor has drawn warrants on the territorial treasurer which they do not consider properly or legally drawn, as follows :

Warrant No. 66, of date March 28th, 1870, drawn against the contingent fund appropriated for Governor's office, and in favor of Governor J. A. Campbell, amount six hundred dollars; there is no voucher in the auditor's office for this warrant except an account by which the territory is said to be indebted to Governor J. A. Campbell in the sum of six hundred dollars for account of contingent fund appropriated for 1870, but there is no voucher which satisfies your committee that any contingent expenses have occurred in connection with the Governor's office which would justify the drawing or expenditure of the public funds. It will also be noticed that this warrant was drawn early in the year 1870, and was for the entire amount appropriated for that year. This warrant was paid by the treasurer on the day of its issue.

On the 6th day of April, A. D., 1870, warrant No. 67 was issued to N. K. Boswell, sheriff of Albany county, amount, eleven hundred and forty-nine dollars and thirty cents, for transportation of territorial prisoners to the penitentiary at Detroit, Michigan. This warrant was drawn under the provisions of the third section of chapter thirty-three of the session laws of 1869, page 375 of the statutes of Wyoming.

Your committee are of opinion that this act does not regulate the subject, but that such expenditures are provided for by chapter twenty of the laws of 1869, page 305, of the statutes of Wyoming, and that the warrants for the necessary expense of transportation of such prisoners should have issued to the county commissioners of Albany county.

Your committee estimate the additional expense of such mode of payment as here pursued to be about one-fourth, or three hundred dollars in excess of what it would be under the provisions of chapter twenty.

On the 15th day of September, 1870, warrant No. 71 was issued to S. M. Preshaw, sheriff of Laramie county, for eight hundred and three dollars and five cents for the same species of service and under the same statute as in the case of warrant 67. There are other warrants drawn under the same provisions of law and for the same class of service, but your committee deem these examples sufficient to call the attention of the legislative assembly to the conflicting acts mentioned.

On the second day of January, 1871, warrant No. 86, amount six hundred dollars, was drawn in favor of Governor J. A. Campbell on account of the contingent fund of the Governor's office. There is no voucher for this warrant which satisfies your committee that any such contingency has ever arisen as would justify the drawing of this warrant or the expenditure of this amount out of the public funds. This warrant was paid by the treasurer on the 18th day of January, 1871.

On the 26th day of January, 1871, warrant No. 88 was issued to A. G. Swaine for services as clerk to auditor, and on the same day warrant No. 89 was issued to A. G. Swaine for services as clerk to treasurer. Warrant No. 88 was for one hundred dollars, and warrant No. 89 was for one hundred and fifty dollars. Your committee find no warrant or authority in law to justify these expenditures and the issuing of these warrants, unless it be found in the fact that the last legislative assembly made an appropriation of three thousand dollars to defray the contingent expenses of territorial officers.

On the 10th day of September, 1871, a warrant was issued to Governor J. A. Campbell for two hundred dollars for rent of office. This warrant is claimed to have been issued to the Governor to reimburse him for rent paid by him for the offices occupied by the auditor and treasurer in the building of Joslin & Park. The auditor and treasurer paid rent for offices at the rate of \$41 67-100 per month up to and including January, 1871, when they gave up their occupancy of the offices before that time used by them, and for the months of February, March and April occupied office room at a rental of \$12 50-100 per month. Since the month of April the two hundred dollars of rent has become due at a rental of forty dollars per month. The rooms for which such rent is thus paid have during the time such rent has accrued been occupied by the Governor of the territory.

By act of the last legislative assembly the territorial taxes collected under the statutes of Dakota territory were ordered to be de-

tained in this territory. Under this provision of law there was paid into the territorial treasury the sum of three thousand five hundred and ten dollars, to-wit: Laramie county, \$1,834.05; Albany county, \$1,675.99; these payments were made February 1, 1870. There were made at the last session various appropriations; among others there was an appropriation to defray the expenses of clerk hire, &c., of the legislative assembly; there was appropriated \$3,500 for additional salaries to the judges of the supreme court, \$1,200 for contingent fund of Governor's office for two years, \$5,000 for salaries of territorial officers, \$3,000 for contingent expenses of territorial officers. All of these various appropriations were made "out of any money in the territorial treasury not otherwise appropriated. The warrants issued to the clerks and other attaches of the last legislative assembly were all endorsed not paid for want of funds by the territorial treasurer, and not one dollar was ever paid on them until the amount of \$6,829 20-100 of these warrants were paid in for taxes in 1870. The amount of \$1,190 was paid out in redeeming these warrants on the 11th day of November, 1871. There are still remaining out and unpaid of the warrants drawn on this fund: Warrant No. 47, amount \$180, interest since March 7, 1870; No. 50, amount \$200, interest since February 1, 1870; No. 52, amount \$200, interest since January 28, 1870; No. 53, amount \$120, interest since January 28, 1870; No. 59, amount \$180, interest since March 7, 1870. The appropriation to pay these warrants has been exhausted by reason of the accumulation of interest, and the foregoing warrants cannot be paid except by an appropriation for that purpose. Every warrant which has been issued as extra salary to judges of the supreme court has been endorsed, for interest, for want of funds, and but one such has ever been paid by the treasurer, which was a warrant issued to Judge W. T. Jones, on November 7th, 1870, and paid December 10th, 1870, amount \$500, interest \$5.67. A warrant issued to Judge J. H. Howe was received on taxes of 1870, amount \$750, interest, \$7.75. There was paid into the treasury on account of the taxes of 1870, \$14,368.95, which included a large amount in warrants. Total amount of revenue collected by Dakota taxes and taxes of 1870, \$17,878.99.

There has been retained in the treasury a sum of money sufficient to pay in cash the warrants issued to the Governor for the contingent fund, the expenses of the territorial officers, and to pay the salaries of the auditor and treasurer up to the month of September, 1871, and to retain in the treasury at the time your committee examined the accounts a balance of over \$750; what additional expense this mode of dealing with the public funds has entailed upon the territory your committee are unable to determine as the treasurer keeps no cash accounts in his books, and it

would have required more time than your committee had at their disposal to have itemized these accounts and determined the cash balance on hand from time to time while the warrants of the territory were being protested for want of funds, and interest was thus being added to the territorial indebtedness. The treasurer has the orders of the auditor dated December 15, 1869 apportioning to specific funds the entire amount received from Dakota taxes.

Your committee are of opinion that under the appropriations made, and by virtue of which these warrants were drawn, that no warrant drawn on any of these funds was entitled to priority in payment, but that all were entitled to payment alike so long as any funds remained in the treasury. And your committee fail to see how this just and equitable rule would injure the standing of the treasury or the credit of the territory, as they fail to see how that credit is benefited by retaining in the treasury a large sum of money to pay the officers' salaries while public creditors are compelled to wait for their warrants to be paid or sell them at a discount and loss, and the treasury compelled to pay interest on them.

The contingent fund for Governor's office has been paid in cash \$1,200. There has been paid in salaries to territorial officers the sum of \$2,575. For contingent fund or expenses of territorial officers the sum of about \$1,700.

The indebtedness of the territory before the receipt of the taxes of 1871, amounts to above \$5,000. Of the moneys received from Dakota \$600 remained in the treasury at the time of the receipts from taxes of 1870.

From the foregoing detailed facts your committee do not feel justified in making settlement with the auditor and treasurer of the territory, but report the matter to the legislative assembly in order that the necessary and proper action may be taken to protect the territory and its treasury, and that if it shall be deemed necessary such legislation shall be had as will prevent such irregularities in the future, if these be irregularities.

Your committee deem it proper to call attention to the fact, that, although the territory appears to be indebted to an amount exceeding five thousand dollars, it is proper to remember that all of the expenses of A. D., 1871, for ten months had accrued and no portion of the taxes of 1871 had been received by the treasurer at the time the auditor and treasurer made their reports, although they had all been levied.

Your committee estimate the amount of revenue which will be received by the territorial treasurer on account of these taxes of A. D., 1871, at fifteen thousand dollars, and that there will remain in the treasury after liquidating all outstanding indebtedness, an

amount exceeding nine thousand dollars with which to meet the expenses consequent upon this session of the legislative assembly and the legitimate expenditures of the coming year.

It would therefore appear that the present rate of territorial taxation should be sufficient for all legitimate expenses of the territorial government.

Being unable to agree with the majority of the committee in the conclusion at which they arrive in their report, the foregoing is made as the minority report of the committee.

All of which is respectfully submitted.

W. R. STEELE.

Mr. Nickerson moved that the reports lie on the table and that they, together with the reports of the territorial auditor and treasurer, be made the special order for Tuesday next.

Lost.

Mr. Brown moved that the reports be referred to a select committee of five.

Lost.

On motion of Mr. Kuykendall the reports of the committee, together with the reports of the territorial auditor and treasurer, were referred to the proper standing committee of the House.

The chair referred the same to the committee of ways and means.

The preamble and resolutions adopted by the National Immigration Convention at Indianapolis, Indiana, November, 1870, as sent to the House on yesterday, by his excellency, the Governor, was read, and

On motion of Mr. Brown the communication of his excellency, the Governor, and the above accompanying document was referred to the committee on immigration.

Mr. Haley introduced House Bill No. 13, "a bill for an act to amend the estray law of Wyoming territory."

Read the first and second time and referred to the committee on territorial affairs and internal improvements.

H. B. No. 9, "an act to repeal the game law," was read the third time and put upon its final passage.

Ayes—Messrs. Castle and Willson—2.

Noes—Messrs. Brown, Blair, Clark, Dayton, Friend, Haley, Kuykendall, Nickerson, Pease, Talbot and Mr. Speaker—11.

The Speaker announced the rejection of the bill.

J. R. No. 3 of C. F., concerning the enacting clause of bills, was read the third time and put upon its final passage.

Ayes—Messrs. Brown, Blair, Castle, Clark, Dayton, Friend, Haley, Kuykendall, Nickerson, Pease, Talbot, Willson and Mr. Speaker—13.

Nays—None.

Speaker announced passage of the joint resolution.

C. B. No. 4, defining time when the laws of Wyoming territory shall take effect, reported on yesterday, was taken up, and

On motion of Mr. Clark the report of the committee on judiciary, "that the bill do not pass," was adopted.

On motion of Mr. Kuykendall the rules were suspended and C. B. No. 4 read third time and put upon its passage.

Ayes—None.

Noes—Messrs. Brown, Blair, Castle, Clark, Dayton, Friend, Haley, Kuykendall, Nickerson, Pease, Talbot, Willson, and Mr. Speaker—13.

The Speaker announced the rejection of the bill.

On motion of Mr. Brown H. B. No. 5, "an act to authorize the formation of volunteer militia companies, was referred to the committee on Indian and military affairs.

Mr. Brown moved that H. B. No. 2 be taken from the table, read third time and put upon its final passage,

Lost.

The following message was received from the council :

COUNCIL CHAMBER,
Cheyenne, —————, 1871. }

To the Hon. Speaker of the House :

I have the honor to inform your honorable body that there was introduced in the council this day the following bill:

By Mr. Corlett, C. F. No. 12,

"A bill for an act to establish a board of immigration.

Respectfully,

ALFRED G. LEE,
Asst. Secretary of Council.

Mr. Pease moved that H. B. No. 2 be indefinitely postponed.

The ayes and noes were demanded by Messrs. Brown, Haley and Nickerson.

Ayes—Messrs. Castle, Clark, Kuykendall, Pease and Talbot—5.

Noes—Messrs. Brown, Blair, Dayton, Friend, Haley, Nickerson, Willson and Mr. Speaker—8.

So the motion was lost.

On motion of Mr. Dayton the House took a recess till two p. m.

The House was called to order at two o'clock p. m.

Absent at roll call, Mr. Kuykendall.

Mr. Clark was called to the chair by the Speaker.

Mr. Castle (by consent) gave notice of a bill for an act to amend sections 132 and 133 of an act defining crimes and proceedings for the punishment thereof.

Mr. Sheeks (by consent) offered the following resolution :

Resolved, That a special committee of three be appointed with

instructions to inquire into, and report to the House their opinion of the proper construction of that portion of the laws of this territory entitled "an act increasing the salaries of the judges of the supreme court," which provides that a *pro rata* amount, for an absence from their duties by any of the judges of more than thirty days, shall be deducted from the amount of their salary, &c., and to report whether or not the said proviso requires the reduction to be so made when any judge is so absent from the district to which he had been assigned by law, and also to inquire and report whether pay has been drawn by any of such judges for the time he was so absent from his duties.

The resolution was adopted, and the chair appointed as such committee Messrs. Brown, Kuykendall and Willson.

Mr. Brown, from the committee on judiciary, presented the following report:

To the House of Representatives:

Your committee to whom was referred House Bill No. 12, "a bill for an act legalizing the acts of the county commissioners of Albany county," &c., respectfully report the same back with the following amendments: That in section one, line one, of the printed bill, the word "of" be stricken out and the word "from" inserted in lieu thereof; that in line two of section two word "the" be inserted between the words "for" and "amount," and in the same line between the words "that" and "loan;" that in line two, third section, the word "the" be inserted between the words "in and proceeding," and in lieu of same section the word "ten" be struck out and the word "twelve" inserted, and in the line four the word "four" be struck out and the word "five" inserted in lieu thereof; that the word "semi" be struck out of eighth line, and in the ninth line the words "days of January and July" be struck out and the words "Monday of December" be inserted in lieu thereof; that in the tenth line of section five the word "the" be inserted between the words "of chairman" and the words "of board," that there be added as section six the following:

SECTION 6. That the board of county commissioners shall order, and the county treasurer shall on such order of the commissioners set aside as a sinking fund not less than twenty per cent, of all moneys raised annually by taxation and paid into the hands of the treasurer for county purposes, except moneys raised for school purposes, to be applied only to the payment and redemption of said bonds and the interest thereon until the same are all paid and redeemed.

And that section six be amended so as to read section seven.

Your committee would respectfully recommend the adoption of the above amendments and that the bill pass as amended.

M. C. BROWN, of the Committee.

On motion of Mr. Pease H. B. No. 2, "an act to re-establish judicial districts," &c., was read the third time and put upon its final passage.

Ayes—Messrs. Brown, Dayton, Haley, Nickerson and Mr. Speaker—5.

Noes—Messrs. Blair, Castle, Clark, Friend, Kuykendall, Pease, Tabot and Willson—8.

Mr. Brown changed his vote from aye to nay.

Mr. Haley changed his vote from aye to nay.

Which made the vote, ayes 3, noes 10.

So the bill was lost.

Mr. Brown gave notice that he would to-morrow move to reconsider the vote upon H. B. No. 2.

Mr. Pease moved to adjourn.

Mr. Castle moved to amend by naming two p. m. to-morrow as the hour of adjournment.

The motion as amended was lost.

On motion of Mr. Nickerson the House adjourned.

WARREN RICHARDSON,
Chief Clerk of the House.

FIFTEENTH DAY.

HALL OF THE HOUSE OF REPRESENTATIVES,
Thursday, November 23rd, 1871. }

The House was called to order at ten o'clock a. m.

Speaker in the chair.

Roll called—all the members present.

The journal of the previous day was read and approved.

The following message was received from the council:

COUNCIL CHAMBER,
Cheyenne, November 22nd, 1871. }

To the Hon. Speaker of the House:

SIR:—I have the honor to inform your honorable body that the following entitled bill was this day introduced in the council:

By Mr. Corlett, C. F. No. 12,

Entitled "a bill for an act to establish a board of immigration."

Also,

That the enrolling clerk of the council, E. S. Whittier, has this day resigned, and Sam. McLaughlin has been elected to fill the vacancy from this day.

Respectfully,

THOS. J. STREET,
Secretary of Council.

Mr. Willson gave notice of a memorial to Congress praying that

body to provide for causing existing provisions of law concerning postal regulations being carried out, and for having mail service, on routes to be determined, from Rawlins, Carbon county, to the Seminole gold mining district, and also to the Snake river mines.

Mr. Friend gave notice of a bill for an act to establish a territorial wagon road from Rawlins, Carbon county, Wyoming, to the Snake river gold mining districts.

Mr. Pease, from the committee on territorial affairs and internal improvements, submitted the following report :

Hon. Speaker of the House of Representatives :

Your committee to whom was referred House Bill No. 13, "a bill for an act to amend estray law of the territory, have had the same under consideration, and most respectfully report the same back to the House and recommend its passage.

Respectfully, E. L. PEASE, Chairman.

On motion of Mr. Brown the report was adopted :

The following message was received from the council.

COUNCIL CHAMBER,
CHEYENNE, November 23, 1871. }

To the Hon. Speaker of the House :

SIR :—I have the honor to inform the honorable house that H. B. No. 1, "an act to provide for regular terms of the probate courts," &c., has this day passed the council with amendments, and the same with amendments attached is herewith transmitted for the action of the House.

Respectfully,

THOS. J. STREET,
Secretary of Council.

Mr. Brown moved to reconsider the vote of yesterday on House bill No. 2, pending which,

On motion of Mr. Brown the House adjourned.

W. RICHARDSON,
Chief Clerk of the House.

SIXTEENTH DAY.

HALL OF THE HOUSE OF REPRESENTATIVES,
Friday, November 24th, 1871. }

House called to order at ten o'clock a. m.

Prayer by the chaplain.

Absent at roll call, Mr. Dayton.

Journal read and approved.

The Speaker called Mr. Pease to the chair.

Mr. Talbot introduced a petition from the citizens of Sherman and vicinity asking to be annexed to Laramie county.

On motion of Mr. Friend the same was referred to the committee on counties and county boundaries.

The Speaker asked to be excused from attendance upon the sessions of the House for to-day and to-morrow.

On motion of Mr. Brown the Speaker was excused.

Mr. Blair gave notice of a joint resolution and memorial to the Congress of the United States for a charter and right of way for a railroad from Cheyenne to Iron Mountain.

Mr. Clark, from the committee of ways and means presented the following report :

NOVEMBER, 24, 1871.

To the Honorable Speaker of the House :

SIR:—Your committee on ways and means, to whom was referred the majority and minority reports of the legislative committee concerning the accounts of the territorial auditor and treasurer, and also the reports of the auditor and treasurer, have the honor to report that they have had the same under consideration and recommend that the said reports be referred to a joint committee of the legislative assembly for investigation of the same.

Very respectfully, GIBSON CLARK, Chairman.

On motion of Mr. Willson the report was received and adopted.

Mr. Clark introduced the following Joint Resolution No. 3 of House.

Be it Resolved by the House of Representatives, the Council concurring, That a joint committee of five, to consist of two members of the Council three members of the House of Representatives be appointed by the presiding officers of their respective bodies, whose duty it shall be to examine the accounts of the territorial auditor and treasurer and investigate the charges brought against these officers in the minority report of the committee appointed by the honorable secretary of the territory to settle with them.

The said committee are hereby empowered and authorized to send for persons and papers and to employ a competent accountant for the purpose of assisting them in the investigation.

On motion of Mr. Clark the rules were suspended and H. J. R. No. 3 was read the third time and put upon its final passage.

Mr. Brown moved to amend by striking out all that portion of the resolution connected with the word "charges."

Lost.

The resolution was then put upon its passage.

Ayes—Messrs. Blair, Castle, Clark, Dayton, Friend, Kuykendall, Pease, Talbot and Wilson—9.

Noes—Messrs. Brown, Haley and Nickerson—3.

Absent and not voting, Mr. Speaker.

So the resolution passed.

Mr. Willson introduced H. B. No. 14, "a bill for an act to locate and establish a territorial wagon road from the town of Rawlins in Carbon county to the Seminole gold mining districts."

Read first and second time and on motion of Mr. Friend ordered to be engrossed.

Mr. Clark introduced H. B. No. 15, "An act for the repeal of the act increasing the salaries of judges of the supreme court.

Read first and second time, and

On motion of Mr. Willson ordered to be engrossed.

Mr. Blair introduced H. B. No. 16, "an act to encourage the development of certain resources of wealth and industry within this territory."

Read first and second time and referred to the committee on mines, minerals and public lands.

Mr. Talbot introduced H. B. No. 17, for an "act to provide for the better protection of cultivated and improved lands within the county of Laramie."

Read first and second time and referred to the committee on agriculture and manufactures.

The following message was received from the council :

COUNCIL CHAMBER,
Cheyenne, November 24, 1871. }

To the Honorable Speaker of the House :

SIR :—I have the honor to inform the honorable house that on to-day Mr. Nuckolls introduced in the council the following bills, to-wit : C. F. No. 14, "a bill for an act to amend an act entitled an act to incorporate the city of Cheyenne."

Also, C. F. No. 15, "a bill for an act defining the boundaries of Laramie county."

I also transmit herewith Joint Resolution No. 1 of C. F., "to print Governor's message," which this day passed the council.

Respectfully,

THOS. J. STREET,

Secretary of Council.

J. R. No. 1 of C. was read first and second time, and

On motion of Mr. Clark referred to the joint committee on printing.

H. B. No. 1 was received from the council with amendments and put upon its passage.

Ayes—Messrs. Brown, Blair, Castle, Clark, Dayton, Friend, Haley, Kuykendall, Nickerson, Pease, Talbot and Willson—12.

Absent and not voting, Mr. Speaker.

So the bill passed.

C. F. No. 5, respecting notaries public, was read third time and put upon its passage.

Ayes—Messrs. Brown Blair, Castle, Clark, Dayton, Friend, Haley, Kuykendall, Nickerson, Pease, Talbot, Willson—12.

Absent, not voting, Mr. Speaker.

So the bill passed.

H. B. No. 13, "an act concerning estrays," was read third time and put upon its passage.

Ayes—Messrs. Brown, Blair, Castle, Clark, Dayton, Friend, Haley, Kuykendall, Nickerson, Pease, Talbot, Willson—12.

Absent, not voting, Mr. Speaker.

So the bill passed.

H. B. No. 12, "an act to legalize the acts of the commissioners of Albany county," was read third time.

Mr. Haley moved to adopt the report of the committee on judiciary on the same.

Lost.

On motion of Mr. Friend the bill was referred to a committee of the whole and made special order for two p. m. to-day.

On motion of Mr. Willson the House took a recess till two p.m.

House called to order at two o'clock p. m.

Roll called, absent, Mr. Speaker.

The house went into committee of the whole for the consideration of H. B. No. 12, Mr. Willson in the chair.

The committee rose at three o'clock and twenty minutes. The Speaker *pro tem.*, Mr. Pease, resumed the chair:

Mr. Willson, from the committee of the whole, reported back H. B. No. 12, with amendments, and recommended its passage as amended.

On motion of Mr. Brown the report was adopted and the bill as amended read by sections and ordered to be engrossed.

On motion of Mr. Willson H. B. No. 3 was referred to a committee of the whole and made the special order of the day for to-morrow at 10:30 a. m.

On motion of Mr. Haley the house adjourned.

WARREN RICHARDSON,
Chief Clerk of the House.

SEVENTEENTH DAY.

HALL OF THE HOUSE OF REPRESENTATIVES, }
November 25th, 1871. }

House was called to order at ten o'clock a. m.

Speaker *pro tem.*, Mr. Pease, in the chair.

Prayer by the chaplain.

Absent at roll call, Mr. Dayton and Mr. Speaker.

Journal read and approved.

Mr. Kuykendall gave notice of a bill to repeal chapter fifty-three of the laws of the territory of Wyoming.

Mr. Talbot introduced joint memorial No. 4 of H., to Congress, praying for the enlargement of the jurisdiction of justices of the peace in this territory.

Read first time and referred to committee on judiciary.

Mr. Friend, from the committee on engrossed bills, reported House Bills No. 14 and 15 as correctly engrossed.

Mr. Clark, from the committee on enrollment, reported H. B. No. 1 as correctly enrolled.

Mr. Kuykendall, from the committee on judiciary, reported back C. B. No. 1, with amendments and recommended the passage of the same as amended, and

On motion of Mr. Kuykendall the report was adopted.

Mr. Talbot, from the committee on Indian and military affairs, reported back H. B. No. 5, with amendments, and recommended its passage as amended.

On motion of Mr. Kuykendall the report was adopted.

On motion of Mr. Nickerson the House went into committee of the whole for the consideration of the special order of the day, H. B. No. 3, "a bill for an act to establish a territorial assay office, &c.

Mr. Clark was called to the chair by the Speaker *pro tem.*

At eleven o'clock and fifty minutes the Speaker *pro tem.* resumed the chair, and

Mr. Clark from the committee of the whole reported that said committee had had under consideration "H. B. No. 3," and that said committee asked leave to sit again for the further consideration of the bill.

The report was adopted and further time granted.

The Speaker announced that he had signed C. J. R. No. 3; also, C. J. R. No. 2; also C. B. No. 5 and H. B. No. 1.

The Speaker presented the report of the superintendent of public instruction.

Mr. Castle moved to adjourn.

Lost.

On motion of Mr. Friend the house took a recess till two p. m.

The House was called to order at two o'clock p. m.

The Speaker *pro tem.*, Mr. Pease, in the chair.

Absent at roll call, Messrs. Brown, Blair, Dayton, Haley, Talbot and Mr. Speaker.

On motion of Mr. Clark Mr. Brown was excused until two p. m. of Monday next.

On motion of Mr. Nickerson Mr. Haley was excused until two p. m. of Monday next.

Mr. Willson asked to be excused until two p. m. of Tuesday next, and

On motion of Mr. Kuykendall the request was granted.

Mr. Blair introduced joint memorial No. 5 of H., praying the Congress of the United States for a charter and right of way for a railroad from Cheyenne to the Iron mountain.

Read first time.

Mr. Friend introduced H. B. No. 18, for an "act to amend an act to provide for elections and other purposes."

Read first and second time, and

On motion of Mr. Willson, ordered to be printed.

The bill was referred to the committee on elections.

On motion of Mr. Kuykendall the House went into a committee of the whole for the consideration of C. B. No. 1 and H. B. No. 5, at two o'clock and twenty-five minutes.

Mr. Friend was called to the chair by the Speaker *pro tem*.

At four o'clock and twenty-five minutes the Speaker *pro tem*. resumed the chair, and

Mr. Friend, from the committee of the whole reported that said committee had had under consideration C. B. No. 1, "an act exempting certain property from sale and execution, &c.; also, H. B. No. 5, an act providing for voluntary militia companies, and that the committee of the whole recommended the passage of said bills as amended.

On motion of Mr. Talbot the report as to C. B. No. 1 was adopted.

Mr. Nickerson moved that the report of the committee of the whole upon H. B. No. 5 be laid on the table.

Lost.

Mr. Willson moved that H. B. No. 5 be read third time and put upon its passage.

Lost.

Mr. Talbot moved that the report of the committee as to H. B. No. 5 be adopted.

Lost.

Mr. Kuykendall gave notice of a motion to reconsider the vote upon certain amendments made in committee of the whole to H. B. No. 5.

H. B. No. 14, "a bill for an act to locate and establish a territorial wagon road from the town of Rawlins, in Carbon county, to the Seminole mining districts, was taken up,

Read third time and put upon its passage.

Ayes—Messrs. Blair, Castle, Clark, Friend, Kuykendall, Nickerson, Pease, Talbot, Willson—9.

Nees—None.

Absent, not voting, Messrs. Brown, Dayton, Haley, and Mr. Speaker.

So the bill passed.

H. B. No. 15, "an act for the repeal of the act increasing the salaries of the judges of the supreme court," was taken up, and

On motion of Mr. Kuykendall the same was made the special order for Wednesday next.

On motion of Mr. Clark the house adjourned.

WARREN RICHARDSON,
Chief Clerk of the House.

EIGHTEENTH DAY.

HALL OF THE HOUSE OF REPRESENTATIVES, }
Monday, November 27th, 1871. }

House called to order at ten o'clock a. m.

The Speaker *pro tem.* M. r. Pease, in the chair.

Prayer by the chaplain.

Absent at roll call, Messrs. Dayton, Haley and Mr. Speaker.

Journal of the previous day read and approved.

Mr. Castle gave notice of a bill for an act to repeal an act entitled "an act to locate the penitentiary, also to locate the penitentiary of Wyoming territory at Evanston, Uinta county, and for other purposes."

Mr. Kuykendall, from the committee on judiciary, submitted the following report.

Mr. Speaker :

Your committee on judiciary, to whom was referred Joint Resolution No. 2, in reference to coal lands, have had the same under consideration and beg leave to report the same back to the house and recommend its adoption without any amendments.

W. L. KUYKENDALL, Chairman.

Mr. Kuykendall, from the same committee, submitted the following report:

Mr. Speaker :

Your committee on judiciary, to whom was referred "House Bill No. 6," an act entitled "a bill for an act concerning the liabilities of railroad companies," have had the same under consideration and beg leave to report the same back to the house with the accompanying amendments, and recommend the adoption of such amendments, and the passage of the bill as so amended.

W. L. KUYKENDALL, Chairman.

Mr. Friend, from the committee on engrossment, reported H. B. No. 12 as correctly engrossed.

Mr. Nickerson introduced H. B. No. 19, "a bill for an act to provide for the development of the mining resources of the territory.

Read first and second times.

Referred to the committee on mines, minerals and public lands, and

On motion of Mr. Willson, ordered to be printed.

Mr. Kuykendall introduced H. B. No. 20, "an act to repeal chapter seventy-three (73) of the laws of the first legislative assembly of the territory of Wyoming.

Read first and second time and referred to committee on judiciary.

Mr. Friend introduced H. B. No 21, "for an act to establish a territorial wagon road from Rawlins, Carbon county, to the Snake river gold mining districts.

Read first and second time, and

On motion of Mr. Willson ordered to be engrossed.

H. B. No. 12, "bill for an act to legalize the action of the board of county commissioners of Albany county," &c., was taken up and read third time and put upon its passage.

Ayes—Messrs. Brown, Blair, Castle, Clark, Friend, Kuykendall, Nickerson, Pease, Talbot, Willson—10.

Noes—None.

Absent, not voting, Messrs. Dayton, Haley, and Mr. Speaker. So the bill passed.

C. B. No. 1, "an act exempting certain property from sale upon execution or other process," was read third time and put upon its passage.

Ayes—Messrs. Brown, Blair, Castle, Clark, Friend, Kuykendall, Nickerson, Pease, Talbot, Willson—10.

Noes—none.

Absent, not voting, Messrs. Dayton, Haley and Mr. Speaker.

On motion of Mr. Brown, H. B. No. 5, "to authorize the formation of volunteer militia companies," and the report of the committee of the whole upon the same was laid upon the table.

On motion of Mr. Willson the report of the committee on judiciary in reference to H. B. No. 6, was adopted.

On motion of Mr. Castle H. B. No. 6 was ordered to be engrossed as amended.

H. J. R. No. 2, memorializing Congress on the subject of coal lands, was taken up,

Read third time, and

On motion of Mr. Brown the report of the judiciary committee upon the same was adopted.

On motion of Mr. Kuykendall H. J. R. No. 2 was ordered to be engrossed.

On motion of Mr. Nickerson H. B. No. 3, "an act to establish a territorial assay office," was made the special order for two o'clock this afternoon.

On motion of Mr. Brown the motion to reconsider the vote upon H. B. No. 2 was laid on the table.

On motion of Mr. Friend the House took a recess till two p. m.

The House was called to order at two o'clock p. m.

Speaker *pro tem.*, Mr. Pease, in the chair.

The following message was received from the council:

COUNCIL CHAMBER,
Cheyenne, November 27, 1871. }

To the Hon. Speaker of the House:

SIR:—I have the honor to inform the honorable house, that H. B. No. 4, "an act to repeal chapter 31 of the laws of the first legislative assembly of the territory of Wyoming, has this day passed the council and is herewith returned.

Respectfully,

THOS. J. STREET,
Secretary of Council.

Mr. Clark was called to the chair by the Speaker *pro tem.*, and the House went into committee of the whole for the consideration of special order of day, H. B. No. 3, "a bill for an act to establish a territorial assay office," &c.

The committee arose at three o'clock and forty-five minutes, and

Mr. Clark from the same reported back H. B. No. 5 with the recommendation that said bill be indefinitely postponed.

Mr. Willson moved the adoption of the report.

Upon the demand of Messrs. Nickerson, Brown, and Friend, the ayes and noes were taken upon the question of the adoption of the report.

Ayes—Messrs. Blair, Castle, Clark, Dayton, Haley, Kuykendall, Pease, Willson and Mr. Speaker—9.

Noes—Messrs. Brown, Friend, Nickerson, Talbot—4.

So the motion was adopted and further consideration of H. B. No. 3 indefinitely postponed.

On motion of Mr. Willson the house adjourned.

WARREN RICHARDSON,
Chief Clerk of the House.

NINETEENTH DAY.

HALL OF THE HOUSE OF REPRESENTATIVES, }
Tuesday, November 28th, 1871. }

House was called to order at ten o'clock a. m.

Prayer by the chaplain.

Speaker in the chair.

Absent at roll call, Mr. Talbot.

Journal read and approved.

Mr. Clark, from the committee on enrollment, reported back H. B. No. 4 as correctly enrolled;

Also, that H. B. No. 1 was presented to his excellency, the Governor, at four p. m. yesterday.

Mr. Friend, from the committee on engrossment, reported H. B. No. 6 and H. B. No. 21, and H. J. R. No. 2 as correctly engrossed.

The following message was received from the council:

To the Honorable Speaker of the House:

SIR:—I have the honor to inform you that the enclosed C. F. No. 9, by W. W. Corlett, "a bill for an act to amend an act entitled an act concerning county licenses," has this day passed the council.

Yours with respect,

THOS. J. STREET,
Secretary of Council.

Mr. Kuykendall, from the committee on judiciary, submitted the following report:

Mr. Speaker:

The committee on judiciary, to whom was referred council bill no. 2, entitled "an act to create a lien for mechanics and others in certain cases," have had the same under consideration and beg leave to report it back with the following amendment; in third line of section five strike out the word "ten" and insert in lieu thereof the word "sixty," and recommend its passage as amended.

W. L. KUYKENDALL, Chairman.

On of Mr. motion Pease the report was adopted.

Mr. Kuykendall from the committee on judiciary reported back H. B. no. 20, "an act to repeal chapter "73" of the laws," &c., and recommended its passage without amendments.

Mr. Nickerson, from the committee on mines, minerals and public lands, submitted the following report:

Hon. Speaker of the House:

Your committee to whom was referred House Bill no. 16, for an "act to encourage the development of certain resources of wealth and industry within this territory," have had the same under consideration and report it back to the house with the recommendation that it be referred to a committee of the whole house.

H. G. NICKERSON, Chairman.

On motion of Mr. Brown, the report was adopted.

Mr. Willson introduced H. J. R. and M. no. 6, in regard to postal regulations in Wyoming.

Read first and second time, and referred to committee on territorial affairs and internal improvements.

Council File no. 9, "an act to amend an act concerning county licenses," was taken up and read first and second times, and

On motion of Mr. Castle ordered printed.

J. R. and M. of H., no. 5, praying Congress for a right of way and charter for a railroad from Cheyenne to Iron Mountain, was read second time.

H. B. no. 6, concerning liabilities of railroad companies, was read third time and put upon its passage.

Ayes—Messrs. Blair, Castle, Clark, Friend, Kuykendall, Nickerson, Pease, Talbot, Willson and Mr. Speaker—10.

Noes—Messrs. Brown, Dayton, Haley—3.

So the bill passed.

J. R. no. 2 of H., memorializing Congress on the subject of coal lands in this territory, was read third time and put upon its passage.

Ayes—Messrs. Brown, Blair, Castle, Clark, Dayton, Friend, Kuykendall, Nickerson, Pease, Talbot and Mr. Speaker—11.

Noes—Messrs. Haley and Willson—2.

So the bill passed.

H. B. no. 21, was,

On motion of Mr. Brown, referred to the proper committee.

Referred by the chair to the committee on corporations and public highways.

Mr. Brown moved that H. B. no 20, "to repeal chapter 73 of the laws," &c., be recommitted to the committee on judiciary.

Lost.

Mr. Dayton moved to refer H. B. no. 20 to the committee on engrossment.

Lost.

On motion of Mr. Castle H. B. no. 20 was read third time and put upon its passage.

Ayes—Messrs. Brown, Blair, Castle, Clark, Dayton, Friend, Haley, Kuykendall, Nickerson, Talbot, Willson and Mr. Speaker—12.

So the bill passed.

On motion of Mr. Nickerson the amendments proposed by the committee on judiciary to C. B. no. 2, "an act creating a lien law," &c., were adopted and the bill put upon its passage.

Ayes—Messrs. Brown, Blair, Castle, Clark, Dayton, Friend, Haley, Kuykendall, Nickerson, Pease, Talbot, Willson and Mr. Speaker—13.

So the bill passed.

Mr. Haley moved the house take a recess till two p. m.

Lost.

On motion of Mr. Brown the report of the territorial superintendent of public instruction was referred by the chair to the committee on education and public printing.

On motion of Mr. Brown the House went into committee of

the whole for the consideration of H. B. no. 16, "an act to encourage the development of certain resources of wealth and industry in the territory of Wyoming.

(11 o'clock 15 minutes).

Mr. Friend was called to the chair by the Speaker.

At eleven o'clock and thirty minutes, the committee arose, the Speaker resumed the chair, and

Mr. Friend, from the committee of the whole, reported back H. B. no. 16, with the recommendation that the same be referred to the committee on territorial affairs and internal improvements.

On motion of Mr. Castle the report was adopted.

On motion of Mr. Friend the House took a recess till two p. m.

The House was called to order at two p. m.

Speaker in the chair.

Absent at roll call, Mr. Haley.

Mr. Nickerson presented H. B. No. 23, "for an act to amend an act defining the official year."

Mr. Talbot by consent gave notice of a bill for an act for the relief of lady school teachers in Wyoming territory.

On motion of Mr. Nickerson the leave of the house was granted to Mr. Willson to introduce H. B. No. 22, "a bill for an act to provide for the better protection of stock."

Mr. Willson accordingly introduced the said bill.

On motion of Mr. Castle the house adjourned.

W. RICHARDSON,
Chief Clerk of the House.

TWENTIETH DAY.

HALL OF THE HOUSE OF REPRESENTATIVES, }
Wednesday, November 29th, 1871. }

House called to order at ten o'clock a. m.

Prayer by the chaplain.

Absent at roll call, Mr. Pease.

Journal read and approved.

Mr. Nickerson, from the committee on mines, minerals and public land, reported back house bill number 19, "an act for the development of the mining resources of the territory of Wyoming, and recommended its passage without amendment.

On motion of Mr. Talbot the report was adopted.

Mr. Clark, from the joint committee on printing submitted the following report :

To the Honorable Speaker of the House :

The joint committee on printing have the honor to report that they have had under consideration joint resolution number 1, and

respectfully report it back to the house, recommending that the house concur in the action of the council.

I am, sir, very respectfully, your obedient servant,
GIBSON CLARK, Chairman.

On motion of Mr. Dayton the report was adopted.

H. B. no. 22, "for the better protection of stock," was read first and second time and referred to the committee on agriculture and manufactures.

H. B. no. 23, defining the official year of county and precinct officers, was read first and second time and referred to the committee on counties and county boundaries.

Joint memorial of house number 5, was ordered to be engrossed.

H. B. no. 19 was ordered to be engrossed.

C. J. R. no. 1, in relation to the printing of the Governor's message, was taken up, amended, read third time and put upon its passage.

Ayes—Messrs. Brown, Blair, Castle, Clark, Dayton, Friend, Haley, Kuykendall, Nickerson, Talbot, Willson and Mr. Speaker—12.

Noes—none.

Absent and not voting, Mr. Pease.

So the joint resolution was passed.

The following message was received from the council.

To the Hon. Speaker of the House :

SIR:—I have the honor to inform you that the council has concurred with the house in joint resolution number 3 H. F., and that Messrs. Steele and Fosher have been appointed as a committee on the part of the council to act in conjunction with a committee to be appointed by the house.

Respectfully,
ALFRED G. LEE,
Asst. Secretary of Council.

To the Hon. Speaker of the House :

SIR—I have the honor to inform the house that C. F. no. 2, "an act to create a lien," &c. as amended by the house, has this day passed the council and been ordered enrolled ;

Also, that house bill no. 13, herewith transmitted, is returned to the house, with the request that it be properly engrossed and amended in form.

Respectfully,
THOS. J. STREET,
Secretary of Council.

The Speaker announced the signing of house bill number 4.

Special order of day, house bill number 15, "an act repealing the act increasing the salaries of the judges of the supreme court, was taken up.

On motion of Mr. Willson the house went into committee of the whole for the consideration of house bill number 15.

(11:35 a. m.)

The Speaker called Mr. Talbot to the chair.

At 11:40 a. m. the committee arose.

Speaker resumed the chair, and

Mr. Talbot from the committee of the whole reported upon house bill number 15, and recommended its passage without amendment.

On motion of Mr. Kuykendall the report was adopted.

On motion of Mr. Castle the rules were suspended and house bill number 15 was read third time and put upon its passage.

Ayes—Messrs. Brown, Blair, Castle, Clark, Dayton, Friend, Haley, Kuykendall, Nickerson, Talbot, Willson and Mr. Speaker—12.

Noes—none.

Absent and not voting, Mr. Pease.

So the bill passed.

On motion of Mr. Talbot the house took a recess till two p. m.

The house was called to order at two p. m.

Absent at roll call, Messrs. Kuykendall and Talbot.

The chair appointed Messrs. Dayton, Clark and Brown as a committee on the part of the house under joint resolution number 3 of the house to investigate the accounts of the territorial auditor and treasurer.

Mr. Friend, from the committee on engrossment reported house joint resolution number 5 correctly engrossed.

Mr. Clark, from the committee on enrollment, reported that house bill number 4, "an act to repeal chapter 31 of the laws of the first legislative assembly of the territory of Wyoming, had been placed in the hands of his excellency, Governor J. A. Campbell, at eleven o'clock a. m. this day, (November 29).

Mr. Blair, from the committee on agriculture and manufactures, submitted the following report.

HOUSE OF REPRESENTATIVES, Nov. 29, 1871.

Mr. Speaker:

Your committee on agriculture and manufactures would respectfully submit house bill number 17, with the recommendation that section three attached to said bill, be inserted in place of section three original bill, and that section three original bill, be section four. Your committee recommend the passage of the bill as amended.

Respectfully,

DUNCAN BLAIR, Chairman Committee.

On motion of Mr. Dayton the report was adopted.

On motion of Mr. Castle, house bill number 17 was ordered printed.

On motion of Mr. Brown, H. B. No. 5, "an act to provide for the formation of volunteer militia companies," was taken from the table and ordered to be engrossed.

On motion of Mr. Brown, the House adjourned till four o'clock in the afternoon of Friday next.

W. RICHARDSON,
Chief Clerk of the House.

TWENTY-FIRST DAY.

HALL OF THE HOUSE OF REPRESENTATIVES, }
Friday, December 1st, 1871. }

House called to order at 4 o'clock p. m.

Speaker in the chair.

Absent at roll call, Messrs. Brown, Blair, Clark, Dayton, Haley, and Willson.

The journal of the twentieth day was read and approved.

The Speaker announced the signing of bills, viz.: C. F. No.'s 1 and 2, and H. J. R. No. 3.

The following message was received from his excellency the governor:

CHEYENNE, November 29, 1871.

To the Honorable, the Speaker of the House of Representatives:

I have the honor to inform the House of Representatives that I have approved "an act to provide for regular terms of the Probate Courts, and for other purposes."

Very respectfully,

Your ob'd't serv't,

J. A. CAMPBELL.

Mr. Kuykendall gave notice of the following bills and joint memorial:

"A bill for an act to amend the present revenue law of this Territory."

Also,

"A bill to amend the present fee bill of county officers, and others."

Also,

"A memorial to Congress for an increase of compensation to members of the Legislature of this territory."

Mr. Castle, from the Committee on Counties, submitted the following report:

Hon. Speaker of the House:

Your committee to whom was referred H. B. No. 23, for "an act to amend 'an act defining the official year of county and

precinct officers," have had the same under consideration, and beg leave to report the same back, with the following amendments, and recommend its passage: That section 1 be amended by inserting the words "eighteen hundred and seventy-two" after the word "December;" also, after the word "year," in the fourth line, the word "thereafter," be inserted.

Respectfully,

C. E. CASTLE, Chairman.

On motion of Mr. Castle the report was adopted, and H. B. No. 23 was ordered to be printed as amended.

Mr. Kuykendall, from the committee on elections, submitted the following report:

Mr. Speaker:

Your committee on elections, to whom was referred House bill No. 18, for an act entitled "an act to amend 'an act to provide for elections, and other purposes,'" have had the same under consideration, and beg leave to report it back to the House with sundry amendments, and recommend its passage with said amendments.

W. L. KUYKENDALL, Chairman.

On motion of Mr. Castle the report was adopted, and H. B. No. 18 was ordered to be printed as amended.

H. B. No. 13, for "an act to amend the estray law," which had been returned from the Council to be engrossed, was, upon motion of Mr. Kuykendall, laid on the table.

Joint memorial No. 5, of House, for "right of way and charter for railroad from Cheyenne to Iron Mountain," was taken up, read the third time, and put upon its passage.

Ayes—Messrs. Castle, Clark, Dayton, Friend, Kuykendall, Nickerson, Pease, Talbot—8.

Noes—Messrs. Brown and Mr. Speaker—2.

Absent and not voting—Messrs. Blair, Haley, Willson—3.

So the joint memorial passed.

Mr. Castle gave notice of a motion to reconsider the vote upon the passage of H. J. M. No. 5.

On motion of Mr. Talbot the House adjourned.

W. RICHARDSON,
Chief Clerk of the House.

TWENTY-SECOND DAY.

HALL OF THE HOUSE OF REPRESENTATIVES, }
Saturday, December 2d, 1871. }

House called to order at ten o'clock a. m.
Speaker in the chair.

Prayer by the chaplain.

Absent at roll call, Messrs. Blair, Haley, Talbot, and Willson.

Journal of previous day read and approved.

Mr. Clark, from the committee on ways and means, submitted the following report:

To the Honorable Speaker of the House of Representatives:

SIR: Your committee on ways and means, to whom was referred H. B. No. 7, entitled "an act to regulate the revenue law of the territory of Wyoming," have the honor to report that they have had said bill under consideration, and respectfully report it back to the House, with the following amendments recommended:

That section 2 of said bill be so amended as to read: "The funds so collected shall apply to, and become a portion of, the territorial funds, and the collector of said tax shall receive, as his commission for collecting the same, ten (10) per centum of the amount collected." And your committee recommend that, with this amendment, the bill be passed.

Very respectfully,

Your ob'd't serv't,

GIBSON CLARK, Chairman.

Mr. Pease, from the committee on territorial affairs and internal improvements, submitted the following report:

Honorable Speaker of the House of Representatives:

Your committee on territorial affairs and internal improvements, to whom H. B. No. 16 was referred, "a bill for an act to encourage the development of certain resources of wealth and industry within the territory," have had the same under consideration, and most respectfully report it back to the House, with the recommendation that it *do not pass*.

Respectfully,

E. L. PEASE, Chairman.

Mr. Dayton, from the committee on corporations, &c., submitted the following report:

To the Hon. Speaker of the House of Representatives:

SIR: Your committee on corporations and public highways, to whom was referred H. B. N. 21, "a bill for an act to establish a territorial wagon road from Rawlins, in Carbon county, to the Snake River gold mining districts," have the honor to report the said bill back to the House, with the recommendation that it be referred to the engrossing committee for correct engrossment.

I am, sir, very respectfully,

Your ob'd't serv't,

T. J. DAYTON.

On motion of Mr. Kuykendall, the reports of the committees were adopted as to House bills No.'s 16 and 21.

And H. B. No. 21 was ordered to be re-engrossed.

On motion of Mr. Clark, H. B. No. 7, "To regulate the revenue laws of Wyoming territory," was referred, together with the report of the committee on ways and means, to the committee on judiciary.

On motion of Mr. Castle, the vote upon the final passage of H. J. M. No. 5, praying charter and right of way for a railroad from Cheyenne to the Iron Mountain, was reconsidered, and,

On motion of Mr. Kuykendall, the same was referred to the appropriate committee.

The speaker referred H. J. M. No. 5 to the committee on federal relations.

On motion of Mr. Kuykendall C. B. No. 9, for "an act to amend an act concerning county licenses," was referred to the committee on ways and means.

On motion of Mr. Brown H. B. No. 16, "to encourage the development of certain resources of wealth and industry," was ordered to be engrossed.

Mr. Brown, by consent, presented a petition from certain citizens of Evanston praying for certain restrictions to be imposed upon retailers of liquors.

Mr. Castle, by consent, presented a petition from citizens of Evanston, praying for the incarceration in a lunatic asylum of one S. S. Fairbanks.

Mr. Castle moved that both petitions be laid on the table.

Lost.

Mr. Brown moved that both petitions be referred to the committee on ways and means.

Lost.

On motion of Mr. Clark both petitions were referred to the committee on judiciary.

On motion of Mr. Pease the house took a recess till eleven o'clock and ten minutes a. m.

At which time the house was called to order, Speaker in the chair.

The following message was received from the council :

To the Honorable Speaker of the House :

SIR: I have the honor to inform the Hon. House that Council File No. 11, herein enclosed, "a bill for an act for the protection of stock," &c., has this day passed the Council, and is transmitted for the action of the House.

Also, that the council have refused to concur in the amendments of the House, to Joint Resolution No. 1, of C. F., concerning the printing of the governor's message, and have appointed

Messrs. Corlett and Harrison a committee of conference on the part of the Council, and request the Hon. House to appoint a committee of conference.

Respectfully,

THOS. J. STREET,
Secretary of Council.

Mr. Clark, from the committee on enrollment, reported that said committee had presented to his excellency the governor, J. A. Campbell, J. R. of H. No. 3, relating to joint committee to investigate the reports of the territorial auditor and treasurer, at eleven o'clock a. m. this day, December 2d.

The Speaker appointed Messrs. Castle and Friend a committee of conference on the part of the House for the consideration of C. J. R. No. 1, relating to the printing of the governor's message.

On motion of Mr. Brown the rules were suspended, and C. F. No. 11 taken up and read first and second times, and referred to committee on judiciary.

On motion of Mr. Nickerson the House adjourned till four o'clock p. m. on Monday, December 4th.

WARREN RICHARDSON,
Chief Clerk of House.

TWENTY-THIRD DAY.

HALL OF THE HOUSE OF REPRESENTATIVES, }
Monday, December 4th, 1871. }

The house was called to order by the chief clerk at four o'clock p. m.

Prayer by the chaplain.

Absent at roll call—Messrs. Brown, Blair, Dayton, Haley, Pease and Mr. Speaker—6.

The house proceeded to the election of a Speaker *pro tem.*, and

On motion of Mr. Willson, Mr. Clark was declared Speaker *pro tem.*

The journal of the previous meeting was read and approved.

A message in writing was received from the Governor, accompanied by H. B. No. 4, returned to the house with the Governor's objections thereto.

Mr. Nickerson gave notice of a bill to amend Chapter 12 of the session laws of 1869, being an act for the protection of game and fish.

Mr. Kuykendall gave notice of a bill for an act to provide for criminals, insane and others.

Mr. Friend, from the committee on engrossed bills reported H. Bills Nos. 5, 16 and 19 and 21 as correctly engrossed.

Mr. Castle, from the joint committee on conference, reported upon C. J. R. No. 1, and recommended the House to recede from the proposed amendments thereto, and to pass the joint resolution as it came originally from the Council.

On motion of Mr. Talbot the report was adopted.

Mr. Kuykendall introduced H. B. No. 24, for "an act to regulate the fees of certain officers," &c.

Read first and second time, and referred to committee on ways and means.

Mr. Nickerson moved that the bill be printed.

Lost.

Mr. Kuykendall introduced H. J. R. and M. No. 7, praying Congress for an increased compensation for members of the Legislative Assembly of the territory of Wyoming.

Objected to by Mr. Willson.

Objection overruled by the House,

And the bill read twice and referred to the committee on federal relations.

Mr. Kuykendall introduced H. B. No. 25, to amend an act to provide for schools and school districts.

Read first and second time, and,

On motion Mr. Friend, ordered to be printed.

On motion Mr. Castle, the House adjourned.

W. RICHARDSON,
Chief Clerk of the House.

TWENTY-FOURTH DAY.

HALL OF THE HOUSE OF REPRESENTATIVES, }
Tuesday, December 5th, 1871. }

House called to order at ten o'clock a. m.

Speaker *pro tem.*, Mr. Clark, in the chair.

Prayer by the chaplain.

Absent at roll call—Messrs. Brown, Blair, Dayton, Haley, Pease and Mr. Speaker.

The journal of the previous day was read and approved.

Mr. Kuykendall gave notice of a bill for an act to authorize and require the board of trustees of the city of Cheyenne to levy and collect a special tax for the purpose of paying any unpaid balance of the indebtedness upon the steam fire engine "T. C. Durant."

Mr. Clark, from the committee on ways and means, submitted the following report:

To the Honorable Speaker:

SIR:—Your committee on ways and means, to whom was re-

ferred the report of the house select committee on officers, have the honor to report that they have had the same under consideration and have instructed the chairman of the committee to introduce a bill covering the ground.

Very respectfully, your obedient servant,

GIBSON CLARK, Chairman.

Mr. Kuykendall, from the committee on judiciary, reported back H. B. No. 7, with amendments, and recommended its passage as amended by the committee of ways and means.

On motion of Mr. Castle the report was adopted, and the bill ordered to be engrossed as amended.

Mr. Clark introduced H. B. No. 26, for an act fixing the compensation of the officers of the present Legislative Assembly.

Read first and second times, and,

On motion of Mr. Kuykendall, referred to committee of the whole.

The House went into committee of the whole for the consideration of H. B. No. 26, at ten o'clock and twenty-five minutes, Mr. Nickerson in the chair.

At eleven o'clock and twenty-five minutes the Speaker *pro tem.* resumed the chair, and

Mr. Nickerson, from the committee of the whole, submitted the following report:

Mr. Speaker:

Your committee of the whole House, to whom was referred House bill No. 26, have had the same under consideration, and would respectfully report the same back to the House, with the recommendation that it pass as amended.

Respectfully,

H. G. NICKERSON.

On motion of Mr. Friend the report was adopted, and the bill ordered engrossed as amended.

The following message was received from the Council:

COUNCIL CHAMBER,
December 4th, 1871. }

To the Honorable Speaker of House:

SIR: I have the honor to inform you that H. B. No. 20, entitled "an act to repeal chapter seventy-three (73), of the laws of Wyoming, has this day been rejected in the Council.

Also, that C. F. No. 13, herewith enclosed, "a bill for an act to amend an act to establish a fence law," &c., has this day passed the council, and is transmitted for the action of the house.

Also, that the enclosed J. R. No. 1, of C. F., is returned to the House for its action in accordance with the report of the committee of conference upon said joint resolution;

Also, that there have this day been introduced in the council, by Mr. Steele,

C. F. No. 18, "a bill for an act to amend an act providing for the organization of schools," &c. ;

Also, C. F. No. 19, "an act to amend an act entitled an act to organize and establish a territorial treasury department."

Respectfully,

THOS. J. STREET,

Secretary of Council.

Mr. Nickerson introduced H. B. No. 27, amendatory of an act for the protection of game and fish.

Read first and second time, and

On motion of Mr. Friend, ordered to be printed.

Mr. Castle, by consent, introduced H. B. No. 28, for an act fixing the compensation of members of the second Legislative Assembly.

Read first and second times, and,

On motion of Mr. Nickerson, ordered to be engrossed.

Mr. Castle introduced H. B. No. 29, for an act amendatory of an act to locate the penitentiary, &c.

Read first and second time, and,

On motion of Mr. Nickerson, ordered to be printed.

Mr. Talbot introduced H. B. No. 30, "a bill for an act to regulate the compensation of public school teachers.

Read first and second time, and,

On motion of Mr. Kuykendall, made the special order for Thursday, December 7th.

Mr. Kuykendall introduced H. B. No. 31, "an act to provide for criminals, insane, and others.

Read first and second times, and referred to the committee on judiciary.

Mr. Kuykendall introduced H. B. No. 32, "an act for the relief of T. Jeff. Carr, sheriff of Laramie county, and N. K. Boswell, sheriff of Albany county.

Read first and second times, and,

On motion of Mr. Kuykendall, ordered to be engrossed.

Mr. Kuykendall introduced H. B. No. 33, "a bill to establish the courts of, and define the jurisdiction of justices of the peace.

Read first time, and,

On motion of Mr. Kuykendall, rules suspended, and further reading dispensed with, and the bill made the special order for Wednesday, December 6th.

Mr. Kuykendall introduced H. B. No. 34, "an act defining the jurisdiction of justices of the peace in criminal trials, and of the proceedings therein.

Read first time, and,

On motion of Mr. Kuykendall, rules suspended, and the bill, in connection with H. B. No. 33, made special order for Wednesday, December 6th.

H. B. No. 21 was taken up, read third time, and,

On motion of Mr. Kuykendall, made special order for three p. m. this afternoon.

H. B. No. 19 was read third time, and,

On motion of Mr. Kuykendall, made the special order for Thursday next, December 7th.

H. B. No. 16 was read third time, and,

On motion of Mr. Kuykendall, the same was made the special order for Thursday next, December 7th.

Mr. Willson moved that the House take a recess till 2 p. m.

Lost.

H. B. No. 5, "an act to provide for the formation of volunteer militia companies," was read third time and put upon its passage.

Ayes—Messrs. Castle, Kuykendall, Nickerson, and Talbot—4.

Noes—Messrs. Clark, Friend, and Willson—3.

Absent, not voting—Messrs. Brown, Blair, Dayton, Haley, Pease, and Mr. Speaker—6.

So the bill passed.

H. B. No. 17, "a bill for an act to provide for the better protection of cultivated and improved lands within the county of Laramie," was ordered to be engrossed.

H. B. No. 18, for an act to amend "an act to provide for elections, and other purposes," was taken up, and,

On motion of Mr. Friend, was made the special order for tomorrow, the 6th inst.

H. B. No. 23, defining the official year, &c., was taken up, and,

On motion of Mr. Kuykendall, was made the special order for Thursday, December 7th.

On motion Mr. Nickerson, the House took a recess till two p. m.

The House was called to order by the Speaker *pro tem.*, Mr. Clark, at two p. m.

Absent at roll call, Messrs. Brown, Blair, Dayton, Haley, Pease, and Mr. Speaker—6.

On motion Mr. Castle, H. B. No. 7, "an act regulating the revenue," &c., was ordered to be engrossed as amended.

The following message was received from the Council:

COUNCIL CHAMBER,
December 5th, 1871, }

To the Honorable Speaker of the House:

SIR: I have the honor to inform the honorable House that the

following bills have been this day introduced in the Council:

By Mr. Bennett, C. F. No. 20, "a bill for an act to provide for the regulation of cities and towns."

Also,

By Mr. Corlett, C. F. No. 21, "a bill for an act to regulate the sale of goods, wares and merchandise, by sample, in Wyoming territory."

Also,

By Mr. Steele, C. F. No. 22, "a bill for an act to amend the code of civil procedure."

Also,

By Mr. Steele, C. F. No. 23, "a bill for an act to establish judicial districts, and to provide for holding courts therein."

And, also, that the following bills have all this day passed the Council, and are herewith enclosed, viz.:

C. F. No. 3, "to amend the revenue laws," &c.

Also,

C. F. No. 15, "a bill for an act defining the boundaries of Laramie county."

Also,

H. B. No. 15, "to repeal law granting salaries to judges," &c.

Respectfully,

THOS. J. STREET,

Secretary of Council.

Mr. Friend, from committee on engrossment, reported House bill No. 17, correctly engrossed.

On motion of Mr. Kuykendall, H. B. No. 25, "a bill for an act to amend an act entitled an act providing for organization of school districts," was made the special order for Friday, December 8.

H. B. No. 17, "an act to provide for the better protection of cultivated and improved lands within the county of Laramie," was taken up, read third time, and put upon its passage.

Ayes—Messrs. Castle, Kuykendall, Nickerson, Talbot, Willson—5.

Noes—Messrs. Clark and Friend—2.

Absent, not voting—Messrs. Brown, Blair, Dayton, Haley, Pease, and Mr. Speaker—6.

So the bill passed.

C. J. R. No. 1, relating to the printing of the governor's message, was taken up, and the question of the House receding from its amendments thereto, as recommended by the committee of conference, was put to the House, and

The House refused to recede from its amendments.

C. F. No. 13, "to amend an act to establish a fence law in Al-

bany, Carbon, and Uinta counties," was taken up, read first and second time, and,

On motion of Mr. Castle, the same was ordered to be printed.

On motion Mr. Friend, the House went into committee of the whole for the consideration of House bill No. 21, "a bill for an act to establish a territorial wagon road from Rawlins to the Snake River gold mining districts."

Mr. Kuykendall was called to the chair by the Speaker *pro tem.*, after which

The committee arose, the Speaker *pro tem.* resumed the chair, and

Mr. Kuykendall, from the committee of the whole, submitted the following report:

Mr. Speaker:

Your committee of the whole, to whom was referred House bill No. 21, have had the same under consideration, and beg leave to report it back to the House, with sundry amendments, and recommend its passage with said amendments.

W. L. KUYKENDALL.

On motion of Mr. Castle, the report was adopted.

On motion of Mr. Kuykendall, the bill was ordered to be re-engrossed as amended in committee of the whole.

By consent, C. F. No. 15, "a bill for an act defining the boundaries of Laramie county was taken up, read first and second time, and referred to the committee on counties and county boundaries.

C. F. No. 3, "to amend an act to provide for territorial and county revenue, was taken up, read first and second time, and,

On motion of Mr. Kuykendall, was ordered printed, and referred to the committee of ways and means.

On motion of Mr. Nickerson, the House adjourned.

W. RICHARDSON,

Chief Clerk of the House.

TWENTY-FIFTH DAY.

HALL OF THE HOUSE OF REPRESENTATIVES, }
 Wednesday, December 6th, 1871. }

House called at ten o'clock a. m.

Mr. Clark, Speaker *pro tem.*, in the chair.

Absent at roll call—Messrs. Brown, Blair, Dayton, Haley, Pease, and Mr. Speaker—6.

The journal of previous day read and approved.

Mr. Friend, from the committee on engrossment, reported

House bills No.'s 26 and 28, correctly engrossed.

Mr. Castle, from the committee on counties and county boundaries, reported back Council bill No. 15, "defining the boundaries of Laramie county," and recommended that the same pass without amendment.

House bill No. 26, "a bill for an act fixing the compensation of officers of the present Legislative Assembly," was read the third time and put upon its passage.

Ayes—Messrs. Castle, Clark, Friend, Kuykendall, Nickerson, Talbot, Willson—7.

Noes—none.

Absent, not voting—Messrs. Brown, Blair, Dayton, Haley, Pease, and Mr. Speaker—6.

So the bill passed.

Title agreed to.

H. B. No. 28, "for an act fixing the compensation of members of the present Legislative Assembly," was read third time and put upon its passage.

Ayes—Messrs. Castle, Friend, Kuykendall, Nickerson, and Talbot—5.

Noes—Messrs. Clark and Willson—2.

Absent, not voting—Messrs. Brown, Blair, Dayton, Haley, Pease, and Mr. Speaker—6.

So the bill passed.

Title agreed to.

Council bill No. 15, "a bill for an act defining the boundaries of Laramie county," was read third time and put upon its passage.

Ayes—Messrs. Castle, Clark, Friend, Kuykendall, Talbot, Willson—6.

Nays—Mr. Nickerson—1.

Absent, not voting—Messrs. Brown, Blair, Dayton, Haley, Pease, and Mr. Speaker—6.

So the bill passed.

Title agreed to.

H. B. No. 29, "a bill for an act amendatory to an act to locate the penitentiary," was, on motion of Mr. Castle, ordered engrossed.

H. B. No. 27, "to amend an act for the protection of game and fish," was, on motion of Mr. Friend, ordered engrossed.

C. B. No. 13, "to amend an act entitled an act to establish a fence law in Albany, Carbon, and Uinta counties," was, on motion of Mr. Kuykendall, made the special order for Friday, December 8.

Mr. Friend, from committee on engrossment, reported House bills No.'s 7 and 21, correctly engrossed.

Mr. Kuykendall, from the committee on judiciary, reported

back H. B. No. 31, with an amendment, and recommended its passage as amended.

Also,

C. B. No. 11, recommending its passage.

And also, from same committee, submitted the following report:

Mr. Speaker:

The committee on judiciary, to whom was referred a petition of S. S. Fairbanks, and others, in relation to the suppression of tipping shops; also, the petition of Ludwig Raugh, and others, in relation to sending S. S. Fairbanks to Stockton, California, both from Uinta county, have had the same under consideration, and beg leave to report them back to the House, with the recommendation that they be laid on the table.

W. L. KUYKENDALL, Chairman.

On motion of Mr. Castle the report was adopted, and the petitions referred to were laid on the table.

On motion of Mr. Castle the reports of the committee on judiciary, as to H. B. No. 31 and C. B. No. 11, were adopted.

Mr. Clark, from the committee on ways and means, reported upon H. B. No. 10, "an act to amend an act concerning county licenses," and recommended that the same do not pass.

Mr. Willson moved that the report be adopted.

Lost.

Mr. Clark, from the committee on ways and means, submitted the following report:

To the Honorable Speaker of the House:

SIR: Your committee on ways and means, to whom was referred C. B. No. 9, entitled "an act concerning county licenses," have the honor to report that they have had the same under consideration, and report it back to the House, with the following amendments, herewith transmitted.

Respectfully,

GIBSON CLARK, Chairman.

On motion of Mr. Clark, the report was adopted.

Mr. Clark, of committee on ways and means, reported upon H. B. No. 24, for "an act to regulate the fees of certain officers," and recommended its passage.

On motion of Mr. Friend the report was adopted.

Mr. Clark, from the committee on enrollment, reported H. B. No. 15, as correctly enrolled.

On motion of Mr. Clark, H. B. No. 21, for "an act to establish a territorial wagon road from Rawlins, Carbon county, to the Snake River gold mining district," was taken up and read third time, and put upon its passage.

Ayes—Messrs. Castle, Clark, Friend, Kuykendall, Nickerson, Talbot, Willson—7.

Noes—none.

Absent, not voting—Messrs. Brown, Blair, Dayton, Haley, Pease, and Mr. Speaker—6.

So the bill passed.

Mr. Willson, by leave of the House, submitted the following report from the committee on immigration:

Mr. Speaker:

Your committee on immigration, to whom was referred the message of his excellency the governor, together with the proceedings of the national immigration committee of 1870, beg leave respectfully to report that the committee have had under consideration the matter to them referred, and respectfully report the same back to the House, and recommend that no action be taken thereon until the subject matter of the message has been considered in the Council.

Very respectfully,

CHAS. E. WILLSON,
Chairman of Committee.

On motion of Mr. Friend the report was adopted.

H. B. No. 7, "to regulate the revenue law," &c., was read third time and put upon its passage.

Ayes—Messrs. Castle, Clark, Friend, Kuykendall, Nickerson, Talbot—6.

Noes—Mr. Willson—1.

Absent, not voting—Messrs. Brown, Blair, Dayton, Haley, Pease, and Mr. Speaker—6.

So the bill passed.

On motion of Mr. Kuykendall the House went into committee of the whole on H. B. No. 31, "an act to provide for criminals, insane, and others," at eleven o'clock twenty-five minutes.

Mr. Friend was called to the chair.

At twelve m. the Speaker *pro tem.* resumed the chair, and

Mr. Friend, from committee of the whole, reported upon H. B. No. 31, and recommended its passage as amended.

On motion of Mr. Castle the report was adopted, and the bill ordered engrossed as amended.

On motion of Mr. Friend the House took a recess till two o'clock p. m.

At two p. m. the House was called to order by the Speaker *pro tem.*, Mr. Clark.

Absent at roll call—Messrs. Brown, Blair, Dayton, Haley, Pease, and Mr. Speaker—6.

Mr. Friend, from the committee on engrossment, reported House bills No.'s 32 and 29, as correctly engrossed.

On motion of Mr. Willson the rules were suspended, and Mr. Castle introduced H. B. No. 35, "an act to amend an act to create and regulate corporations."

Read first time.

Objected to by Mr. Kuykendall.

Objection overruled by the House,

And the bill read second time and referred to the committee on Indian and military affairs.

On motion of Mr. Willson the House went into committee of the whole for the consideration of the special order of day, House bills No.'s 33 and 34, "defining the jurisdiction of justices of the peace in civil and criminal cases."

Mr. Willson was called to the chair at 2:20 p. m.

At 2:50 p. m. the committee arose,

The Speaker *pro tem.* resumed the chair, and

Mr. Willson, from the committee of the whole, submitted the following report:

• *Mr. Speaker:*

Your committee of the whole, to whom was referred the consideration of H. B. No. 33, "a bill for an act to define the jurisdiction of justices of the peace," beg leave to report that they have had the matter under consideration, and would respectfully report the bill back, and recommend that this bill be referred to a select committee to be appointed by the chair, which committee shall be instructed to report to the House the sections and amendments wherein this bill differs from the justices' code now already upon the statute book, and that the committee be further instructed to introduce a bill containing all such changes in the present law, and that it be offered as an amendment to the present law.

C. E. WILLSON,

Chairman of Committee of Whole.

On motion of Mr. Friend the report was adopted.

The following message was received from the Council:

To the Honorable Speaker of the House:

SIR:—I have the honor to inform the Hon. House that the enclosed bills, C. F. No. 18, "for an act to amend an act entitled an act to provide for the organization of school districts," &c., and C. F. No. 19, "for an act to amend an act entitled an act to organize and establish a territorial treasury department," have this day passed the Council, and are transmitted for the action of the House.

Respectfully,

THOS. J. STREET,

Secretary of Council.

The chair appointed as select committee to take under consideration House bills No.'s 33 and 34, Messrs. Kuykendall, Willson, and Friend.

Mr. Willson moved to suspend the rules and take up Council bills No.'s 18 and 19.

Lost.

On motion of Mr. Friend, the House went into committee of the whole for the consideration of House bill No. 18, "an act entitled an act to amend an act to provide for elections, and other purposes," being a part of the special order of the day.

Mr. Kuykendall was called to the chair at three p. m.

The committee arose at three o'clock fifty minutes p. m.

Speaker *pro tem.* resumed the chair, and

Mr. Kuykendall, from the committee of the whole, reported back H. B. No. 18, with sundry amendments, and recommended its passage as amended.

On motion of Mr. Friend the report was adopted, and the bill ordered engrossed as amended.

On motion of Mr. Willson the rules were suspended, and C. F. No. 18, "relating to schools," &c., was taken up, read first and second time, and referred to the committee on ways and means.

On motion of Mr. Willson, C. F. No. 19, "a bill for an act to organize and establish a territorial treasury department," was taken up, read twice, and referred to the committee on ways and means.

On motion of Mr. Nickerson the House adjourned.

WARREN RICHARDSON,
Chief Clerk of House.

TWENTY-SIXTH DAY.

HALL OF THE HOUSE OF REPRESENTATIVES, }
Thursday, December 7th, 1871. }

House met at ten o'clock a. m.

Mr. Clark, the Speaker *pro tem.*, in the chair.

Prayer by the chaplain.

Absent at roll call—Messrs. Brown, Blair, Dayton, Haley, Pease, and Mr. Speaker—6.

The journal of the previous day was read and approved.

The following message was received from the Council:

COUNCIL CHAMBER, }
December 7th, 1871. }

To the Honorable Speaker of the House:

SIR: Herewith find enclosed memorial to honorable commissioner of Indian affairs, which passed the Council December 6th,

and which is forwarded to the House for its consideration.

I have also the honor to inform you that there has been introduced into the Council the following bills, to-wit:

By Mr. Corlett, C. F. No. 24, "to amend an act defining crime, and punishment therefor."

Also,

By Mr. Corlett, C. F. No. 25, "to amend the code of civil procedure."

Also,

By Mr. Corlett, "to provide for maintenance of illegitimate children."

And

By Mr. Fosher, C. F. No. 27, "to provide for a lien for miners, and others, in certain cases."

And

By Mr. Steele, C. F. No. 28, "to return to the general fund the unexpended balances in the territorial treasury, and for other purposes."

Respectfully,

THOS. J. STREET,

Secretary of Council.

Mr. Friend, from the committee on engrossment, reported H. B. No. 27.

Mr. Talbot, from the committee on Indian and military affairs, reported upon H. B. No. 35, and recommended the passage of the same without amendment.

Mr. Clark, from the committee of ways and means, reported back C. F. No. 18, "to amend an act providing for schools," &c., and C. F. No. 19, to amend an act establishing the territorial treasury department, and recommend the passage of said bills.

Mr. Talbot was called to the chair.

"A memorial and joint resolution to the Commissioner of Indian Affairs, relating to the Shoshone reservation," &c., was received from the Council.

Read twice and referred to the committee on Indian and military affairs.

Mr. Kuykendall introduced H. Bill No. 36, to authorize the board of trustees of the city of Cheyenne to levy and collect a special tax to pay off the mortgage on the steam fire engine T. C. Durant.

Read twice, and

On motion of Mr. Clark ordered to be engrossed.

H. B. No. 27, "a bill for an act to amend an act entitled an act for the protection of game," was read third time and put upon its passage.

Ayes—Messrs. Castle, Clark, Friend, Kuykendall, Nickerson, Talbot, and Willson—7.

Absent, not voting—Messrs. Brown, Blair, Dayton, Haley, Pease, and Mr. Speaker—6.

So the bill passed.

H. B. No. 29, "an act amendatory of an act to locate the penitentiary," was, on motion of Mr. Clark, made the special order of the day for Monday next, December 11th.

At ten o'clock forty minutes a. m., on motion of Mr. Clark, the House went into committee of the whole for the consideration of H. B. No. 32, "a bill for the relief of T. J. Carr, sheriff of Laramie county, and N. K. Bæwell, sheriff of Albany county.

Mr. Nickerson was called to the chair.

At eleven o'clock twenty minutes a. m. the committee arose,

The Speaker *pro tem.* resumed the chair, and

Mr. Nickerson, from the committee of the whole, reported back H. B. No. 32, and recommended that the same be referred to the committee of ways and means.

The report was adopted, and the bill referred to the committee of ways and means.

On motion of Mr. Clark the House went into committee of the whole for the consideration of C. F. No. 9, to amend "an act concerning county licenses."

Mr. Willson in the chair.

At eleven o'clock thirty five minutes a. m. the committee arose, and

Speaker *pro tem.* resumed the chair, and

Mr. Willson, from the committee of whole house, reported back C. F. No. 9, with the recommendation that it pass as amended by the committee of ways and means.

On motion of Mr. Clark the report was adopted.

The bill was read the third time, and

On motion of Mr. Willson recommitted to the committee of the whole.

The bill was again considered in committee of the whole, after which the committee arose, and Mr. Willson from said committee, reported the bill back to the House with sundry amendments, and recommended its passage as amended.

C. F. No. 9 was read third time as amended and put upon its passage.

Ayes—Messrs. Castle, Clark, Nickerson, Talbot—4.

Noes—Messrs. Friend, Kuykendall and Willson—3.

Absent, not voting—Messrs. Brown, Blair, Dayton, Haley, Pease and Mr. Speaker—6.

So the bill passed.

On motion of Mr. Nickerson the House took a recess till two p. m.

Two p. m., the House was called to order.

Speaker *pro tem.*, Mr. Clark, in the chair.

Absent at roll call—Messrs. Brown, Blair, Dayton, Haley, Pease and Mr. Speaker—6.

Mr. Friend, from the committee on engrossment, reported House Bills No.'s 18 and 31 correctly engrossed.

On motion Mr. Friend C. B. No. 18, "to amend an act entitled an act to organize schools," &c., was taken up and read third time and put upon its passage.

Ayes—Messrs. Castle, Clark, Friend, Kuykendall, Talbot, and Willson—6.

Noes—Mr. Nickerson—1.

Absent, not voting—Messrs. Brown, Blair, Dayton, Haley, Pease, and Mr. Speaker—6.

So the bill passed.

The following message was received from the governor:

WYOMING TERRITORY,	}
EXECUTIVE DEPARTMENT,	
Cheyenne, 7th December, 1871.	

To the Honorable, the Speaker of the House of Representatives:

I have the honor to inform the House of Representatives that I have approved a joint resolution to appoint a committee of five, to consist of two members of the Council, and three members of the House of Representatives, to examine the accounts of the territorial auditor and treasurer, and investigate the charges brought against these officers in the minority report of the committee appointed by the secretary of the territory to settle with them; the said committee to have power to send for persons and papers, and to employ a competent accountant.

Very respectfully,

Your ob'd't serv't,

J. A. CAMPBELL.

On motion of Mr. Friend, C. B. No. 19, "to amend an act to organize and establish a territorial treasury department," was read a third time and put upon its passage.

Ayes—Messrs. Castle, Clark, Friend, Kuykendall, Talbot, and Willson—6.

No—Mr. Nickerson—1.

Absent, not voting—Messrs. Brown, Blair, Dayton, Haley, Pease, and Mr. Speaker—6.

So the bill passed.

On motion of Mr. Talbot H. B. No. 10, "to amend an act concerning county licenses," was indefinitely postponed.

C. B. No. 11, "for the protection of stock," was taken up, read third time and put upon its passage.

Ayes—Messrs. Castle, Clark, Kuykendall, Nickerson, Talbot, and Willson—6.

Noes—Mr. Friend—1.

Absent, not voting—Messrs. Brown, Blair, Dayton, Haley, Pease, and Mr. Speaker—6.

So the bill passed.

H. B. No. 24, "to regulate the fees of certain officers and others," was taken up, read third time and put upon its passage.

Ayes—Messrs. Castle, Clark, Kuykendall, Nickerson, and Talbot—5.

Noes—Messrs. Friend and Willson—2.

Absent, not voting—Messrs. Brown, Blair, Dayton, Haley, Pease, and Mr. Speaker—6.

So the bill passed.

H. B. No. 18, "to amend an act to provide for elections," &c., was read third time and put upon its passage:

Ayes—Messrs. Castle, Clark, Friend, Kuykendall, Nickerson, Talbot, Willson—7.

Noes—none.

Absent, not voting—Messrs. Brown, Blair, Dayton, Haley, Pease, and Mr. Speaker—6.

So the bill passed.

H. B. No. 31, "to provide for criminals, insane and others," was read third time and put upon its passage:

Ayes—Messrs. Castle, Clark, Friend, Kuykendall, Nickerson, Talbot and Willson—7.

Noes—none.

Absent, not voting—Messrs. Brown, Blair, Dayton, Haley, Pease, and Mr. Speaker—6.

So the bill passed.

H. B. No. 35, "to amend an act to create and regulate corporations" came up for third reading, and

Mr. Kuykendall moved that the bill be indefinitely postponed.

Which was lost.

The bill was then read the third time and put upon its passage.

Ayes—Messrs. Castle, Friend, Nickerson, Talbot, Willson—5.

Noes—Messrs. Clark and Kuykendall—2.

Absent, not voting—Messrs. Brown, Blair, Dayton, Haley, Pease, and Mr. Speaker—6.

So the bill passed.

Mr. Kuykendall, by request, was excused from acting on committee to consider House bills No.'s 33 and 34.

At two o'clock fifty minutes p. m.,

The House went into committee of the whole, on motion of Mr. Nickerson, to consider the special orders of the day.

Mr. Friend was called to the chair by the Speaker *pro tem*.

At four o'clock twenty minutes p. m. the Speaker *pro tem.* resumed the chair, and

Mr. Friend, of committee of the whole, reported recommending that House bills Nos. 19 and 16 be laid on the table, and

That H. B. No. 30 be indefinitely postponed, and

That H. B. No. 23 be passed as amended.

On motion of Mr. Castle said reports were adopted, and,

On motion of Mr. Friend, H. B. No. 23 was ordered engrossed as amended.

On motion of Mr. Kuykendall House Bills No.'s 16 and 19 were laid on the table.

On motion Mr. Castle H. B. No. 30 was indefinitely postponed.

Mr. Kuykendall offered a resolution as follows :

Resolved, That this House hold night sessions for the more speedy transaction of business, and that the hour of seven o'clock p. m. be the hour of meeting.

Adopted.

On motion of Mr. Castle the House took a recess till seven o'clock p. m.

Seven p. m., House called to order by Speaker *pro tem.*

H. B. No. 13 was taken from the table, and after debate, was,

On motion of Mr. Castle, "allowed to lie upon the table in peace."

Mr. Friend, from the committee on engrossment reported H. B. No. 36 correctly engrossed.

Mr. Kuykendall, from the committee on judiciary, reported back J. R. and M. of H. No. 4, and recommended its adoption.

On motion of Mr. Castle the report was adopted.

H. B. No. 36, "for an act to authorize the board of trustees of city of Cheyenne to levy and collect a special tax to pay off mortgage on steam fire engine T. C. Durant," was read third time and put upon its passage.

Ayes—Messrs. Castle, Clark, Friend, Kuykendall, Nickerson, Talbot and Willson—7.

Noes—none.

Absent, not voting—Messrs. Brown, Blair, Dayton, Haley, Pease, and Mr. Speaker—6.

So the bill passed.

On motion of Mr. Kuykendall joint resolution of House No. 4 was ordered to be engrossed.

Mr. Kuykendall gave notice of a motion to reconsider the vote upon H. B. No. 36.

On motion of Mr. Friend, the House adjourned.

WARREN RICHARDSON,

Chief Clerk of the House.

TWENTY-SEVENTH DAY.

HALL OF THE HOUSE OF REPRESENTATIVES, }
 Friday, December 8th, 1871. }

House called to order at ten o'clock a. m.

Speaker *pro tem.*, Mr. Clark, in the chair.

Prayer by the chaplain.

Absent at roll call--Messrs. Brown, Blair, Dayton, Haley, Pease and Mr. Speaker--6.

Journal of the previous day was read and approved.

On motion of Mr. Kuykendall the vote upon H. B. No. 36, to authorize the board of trustees of Cheyenne to levy a tax to pay off the indebtedness upon steam fire engine T. C. Durant, was reconsidered; and

H. B. No. 36 was again put upon its passage:

Ayes--Messrs. Castle, Clark, Friend, Kuykendall, Nickerson, Talbot and Willson--7.

Absent, not voting--Messrs. Brown, Blair, Dayton, Haley, Pease and Mr. Speaker--6.

So the bill passed.

The following message was received from the Council:

To the Honorable Speaker of the House:

SIR:--I have the honor to inform your honorable body that H. B. No. 14, "to establish a territorial wagon road from Rawlins to the Seminoe mining district," &c., has this day passed the Council, with the amendment attached, and is herewith transmitted. Also, that

C. F. No. 16, "tax dogs in Wyoming territory," has this day passed the Council, and is herewith transmitted. Also, that

Mr. Nuckolls this day introduced in the Council C. F. No. 29, for "an act to authorize the building of a court house and jail in Laramie county, and to bond the county therefor."

Very respectfully,

THOS. J. STREET,
 Secretary of Council.

C. F. No. 16, "to tax dogs in Wyoming territory," was received from the Council, read first time, and rejected.

H. B. No. 14, for a wagon road from Rawlins, in Carbon county, to the Seminoe gold mining district, was received from the Council with amendments, and

The ayes and noes were taken upon the question,

Shall the House concur in the amendments of the Council.

Ayes--Messrs. Castle, Clark, Friend, Kuykendall, Nickerson, Talbot, and Willson--7.

Absent, not voting--Messrs. Brown, Blair, Dayton, Haley, Pease, and Mr. Speaker--6.

So the amendments were concurred in.

The bill as amended was ordered to be enrolled.

On motion of Mr. Kuykendall, H. J. R. and M. No. 6, in regard to postal regulations, was ordered withdrawn from committee on territorial affairs and internal improvements, and referred to the committee on immigration.

On motion of Mr. Kuykendall the joint resolution and memorial No. 7, of H., praying Congress for increased compensation to members of the Legislative Assembly of Wyoming, was withdrawn from the committee on federal relations, and,

By Speaker *pro tem.*, referred to the committee on judiciary.

On motion of Mr. Kuykendall H. B. No. 22, "for the better protection of stock," was withdrawn from the committee on agriculture, and

By the Speaker *pro tem.*, referred to the committee on counties, &c.

At ten o'clock and fifty minutes a. m.,

Mr. Nickerson was called to the chair in committee of whole.

The following message was received from the Council:

To the Honorable Speaker of the House:

SIR: I have the honor to inform the honorable House, that the enclosed,

C. F. No. 28, "a bill for an act to return to the territorial treasury any unexpended balances," &c., &c., has this day passed the Council.

Very respectfully,

THOS. J. STREET,
Secretary of Council.

At eleven o'clock and twenty minutes the Speaker *pro tem.* resumed the chair, and

Mr. Nickerson, from the committee of the whole, submitted the following report:

Mr. Speaker:

Your committee of the whole House to whom was referred House Bill No. 25 and Council Bill No. 13, have had the same under consideration and beg leave to report the same back to the House and ask leave to further consider the same.

On motion of Mr. Castle the report of committee of whole was adopted.

On motion of Mr. Nickerson, the House took a recess till two p. m.

Two p. m. the Speaker called the House to order.

Absent at roll call--Messrs. Brown, Blair, Dayton, and Mr. Haley--4.

The Speaker called Mr. Clark to the chair, and was excused for the afternoon session.

Mr. Pease was excused for the afternoon.

Mr. Willson, from the committee on immigration, reported upon H. J. R. No. 6, praying Congress in relation to postal regulations, and recommended the passage of the same, without amendment.

The joint resolution of H. No. 6 was ordered to be engrossed.

Mr. Willson offered the following resolution:

Resolved, That the honorable secretary of the territory be requested to furnish the members of the House of Representatives, without delay, the following articles of stationery:

Two quires of legal cap paper for each.

Three quires of letter paper for each.

Two packages of official envelopes for each.

Two packages of letter envelopes for each.

One dozen pens for each member.

Resolved, That the clerk of the House be requested to furnish the honorable secretary with a copy of this resolution.

Adopted.

On motion of Mr. Nickerson the rules were suspended, and Mr. Talbot introduced, by leave of the House, H. B. No. 37, "a bill for an act to repeal an act to restrict gaming."

Read first time.

Objected to by Mr. Friend.

Objection overruled by the House, and

The bill was read second time and referred to the committee on judiciary.

Mr. Friend, from the committee on engrossment, reported H. J. R. No. 4, as correctly engrossed.

Mr. Talbot, from the committee on Indian and military affairs, reported upon Council Joint Resolution and M. No. 5, to the Honorable Commissioner of Indian Affairs," and recommended that the same do pass without amendment.

On motion of Mr. Kuykendall the report was adopted.

Mr. Castle, from the committee on counties and county boundaries, reported on H. B. No. 22, and recommended its passage.

On motion of Mr. Wilson the report was adopted.

Mr. Kuykendall, from the committee on judiciary, reported on H. J. R. and M. No. 7, in relation to increased compensation of members of legislative assembly of Wyoming, with amendments, and recommended the passage of the resolution as amended.

On motion of Mr. Friend the report was adopted and the resolution ordered engrossed as amended.

C. F. No. 28, "to return balances of funds in territorial treasury to the general fund," &c., was taken up, read twice and referred to the committee on ways and means.

J. R. No. 6, "in regard to postal regulations," was ordered to be engrossed.

J. R. and M. of H. No. 7, "for the enlargement of the jurisdiction of justices of the peace," was read second time, and,

On motion of Mr. Friend, made special order for Monday, December 11th, inst.

On motion of Mr. Willson, H. B. No. 22 was ordered engrossed.

Council J. R. and M. No. 5, "to the commissioner of Indian affairs," was read the third time and put upon its passage.

Ayes--Messrs. Castle, Clark, Friend, Kuykendall, Nickerson, Talbot, Willson--7.

Absent, not voting--Messrs. Brown, Blair, Dayton, Haley, Pease and Mr. Speaker--6.

So the J. R. and M. passed.

On motion of Mr. Friend, the House took a recess till seven p. m.

At seven p. m. the House was called to order.

Mr. Speaker in the chair.

Absent at roll call--Messrs. Brown, Blair, Dayton, Haley and Talbot--5.

Mr. Clark, from the committee on enrollment, reported H. B. No. 14, correctly enrolled.

Mr. Willson, by leave of House, presented a communication from S. H. Winsor in regard to a territorial and county map.

On motion of Mr. Willson the communication was referred to select committee of three members.

The Speaker appointed on said committee Messrs. Willson, Pease, and Talbot.

On motion of Mr. Castle, the Governor's message relating to H. B. No. 4, was taken up, and made the special order for Saturday evening at seven p. m.

The Speaker announced the signing of the following enumerated bills, to-wit:

H. B. No. 14, "for an act to locate and establish a territorial wagon road from the town of Rawlins, in Carbon county, to the Seminole gold mining districts;"

Also,

H. B. No. 15, "an act for the repeal of the act increasing the salaries of the judges of the supreme court;"

Also,

C. F. No. 11, "a bill for an act for the protection of stock in Wyoming territory, and to punish certain offenses concerning the same;"

Also,

C. F. No. 15, "a bill for an act defining the boundaries of Laramie county;"

Also,

C. F. No. 18, "a bill for an act to amend an act entitled an act providing for the organization of school districts, schools and for other purposes ;"

And, also, C. F. No. 19, "a bill for an act to amend an act entitled an act to organize and establish a territorial treasury department."

On motion of Mr. Pease, the House adjourned.

W. RICHARDSON,
Chief Clerk of the House.

TWENTY-EIGHTH DAY.

HALL OF THE HOUSE OF REPRESENTATIVES, }
Saturday, December 9th, 1871. }

The House was called to order at ten o'clock a. m.

The Speaker in the chair.

Roll called, and all the members answered to their names.

The journal of the previous day was read and approved.

The following message was received from the Council:

COUNCIL CHAMBER, }
December 8th, 1871. }

To the Honorable Speaker of the House:

SIR: I have the honor to inform your honorable body that the enclosed H. B. No. 17, "for an act to provide for the better protection of cultivated and improved lands," &c., was this day rejected in the Council.

Also,

That the enclosed H. B. No. 21, "to locate and establish a territorial wagon road," &c., has this day passed the Council, with the amendments thereto appended.

Also,

That the enclosed C. F. No. 21, "to regulate the sale of goods, wares and merchandise," &c., has this day passed the Council.

Very respectfully,

THOS. J. STREET,
Secretary of Council.

And also as follows:

COUNCIL CHAMBER, }
December 9th, 1871, }

To the Honorable Speaker of the House:

SIR: I have the honor to inform your honorable body that the enclosed,

H. B. No. 26, "a bill for an act fixing the compensation of

clerks and other officers of the Legislative Assembly," &c., has this day passed the Council with certain amendments, which please find appended thereto.

Very respectfully,

THOS. J. STREET,
Secretary of Council.

Mr. Haley gave notice of a bill for the removal of the capitol of the territory of Wyoming to Laramie City, W. T.

Mr. Blair gave notice of a bill for the removal of the county seat of Sweetwater county from South Pass City to Green River City.

Mr. Clark, from the committee of ways and means, reported upon Council Bill No. 28, "an act to return to the general fund in the treasury the unexpended balances in any fund appropriated at the last session of the Legislative Assembly," &c., and recommended its passage.

Mr. Friend, from the committee on engrossment, reported H. B. No. 23 correctly engrossed.

Mr. Kuykendall, from the committee on judiciary, reported on H. Bill No. 37, "an act to restrict gaming," and recommended its passage as amended by the committee.

On motion of Mr. Willson the report was adopted.

Mr. Clark, from the committee on enrollment, submitted the following report :

DECEMBER 9th, 1871.

To the Honorable Speaker of the House :

SIR: I have the honor to report that on yesterday, at the hour of seven o'clock and forty-five minutes, I placed in the hands of his excellency, John A. Campbell, governor of the territory, for his action, House bill No. 14, entitled "an act to locate and establish a territorial wagon road from the town of Rawlins, in Carbon county, to the Seminole mining district," and also House bill No. 15, entitled "an act to repeal chapter fifty three, of the laws of the territory of Wyoming, session of 1869, entitled 'an act increasing the salaries of the judges of the supreme court.'"

Very respectfully,

GIBSON CLARK,

Chairman of Committee on Enrollment.

Mr. Willson, from the select committee appointed to consider the communication of S. H. Winsor, in relation to maps, &c., submitted the following report :

Mr. Speaker :

Your select committee, to whom was referred the communication of S. H. Winsor, in regard to furnishing maps of Wyoming, &c., have respectfully to report that they have had the matter

referred to them under consideration, and recommend as follows: It appears from reliable sources that a map of the kind referred to in Mr. Winsor's communication would prove of incalculable benefit to the whole people of the territory, and your committee have therefore concluded to introduce a bill looking to an appropriation for the purchase of maps as aforesaid, which bill has been prepared, and will be introduced.

Very respectfully,

C. E. WILLSON,
Chairman of Select Committee.

Mr. Willson, from the select committee on H. Bills No.'s 33 and 34, submitted the following report :

Mr. Speaker :

Your select committee to whom was referred House Bills No.'s 33 and 34, the first a "bill for an act to establish the courts of and define the jurisdiction of justices of the peace," and the other, H. B. No. 34, "a bill for an act defining the jurisdiction of justices of the peace in criminal trials and of the proceedings therein," beg leave to report that your committee have had the matter referred to them under consideration, and would respectfully report House Bill No. 33 back to the House with the recommendation that it do pass with the amendments thereto, and that House Bill No. 34 do pass.

Very respectfully,

CHAS. E. WILLSON,
Chairman of the Select Committee.

On motion of Mr. Friend the report was adopted.

On motion of Mr. Willson the message of his excellency, the Governor, containing his objections to and veto of H. B. No. 4, was ordered spread on the journal.

Mr. Kuykendall moved that Messrs. Brown, Blair, Dayton, Hayley, Pease and Mr. Speaker, members of this House be excused for absence from the service of the House from the fourth day of December to the eighth day of December inclusive.

Carried.

Mr. Friend, by consent of House, was excused from attendance until Tuesday next, at seven p. m.

Mr. Nickerson, by consent of House, was excused from attendance until Monday evening next, at seven p. m.

Mr. Pease introduced House bill No. 38, "an act to establish the seat of government of Wyoming territory."

Read first time.

Objected to by Mr. Talbot.

Objection overruled by the House, and

Read second time, and,

On motion of Mr. Halcy, ordered printed.

The bill was referred to the committee on territorial affairs and internal improvements.

Mr. Willson, by consent, introduced H. B. No. 39, to authorize the honorable secretary of the territory to purchase maps, and for other purposes.

Read twice, and,

On motion of Mr. Kuykendall, ordered to be printed.

Mr. Willson introduced H. B. No. 40, for the relief of the treasurer of Carbon county.

Read twice and referred to the committee on judiciary.

Mr. Dayton introduced a joint resolution and memorial to the honorable secretary of war, relating to the establishment of a military post in the North Park.

Read twice, and,

On motion of Mr. Brown, ordered engrossed.

House bill No. 23, "to amend an act defining the official year," was read for information, and

Mr. Brown offered an amendment, which was lost.

House Bill No. 23 was read the third time.

The following message was received from the governor:

WYOMING TERRITORY,
EXECUTIVE DEPARTMENT,
Cheyenne, 9th December, 1871. }

To the Honorable, the Speaker of the House of Representatives:

I have the honor to inform the House of Representatives that I have approved "an act to locate and establish a territorial wagon road from the town of Rawlins, in Carbon county, to the Seminole mining district."

Very respectfully,

Your ob'd't serv't,

J. A. CAMPBELL.

H. B. No. 23 was put upon its passage:

Ayes—Messrs. Castle, Clark, Dayton, Friend, Kuykendall, Talbot, Willson and Mr. Speaker—8.

Nays—Messrs. Brown, Blair, Haley, Nickerson and Mr. Pease.
So the bill passed.

Mr. Brown moved that Council amendments to H. B. No. 26, (an error act) "a bill for an act fixing the compensation of officers of the House and Council," be referred to a committee of the whole House.

Lost.

On motion of Mr. Castle the House concurred in the Council amendments to House Bill No. 26, and the chair announced the passage of the bill as amended.

On motion of Mr. Talbot the House took a recess till two p. m.

The House was called to order at two p. m.

Speaker in the chair.

Absent at roll call, Messrs. Friend and Nickerson, both of whom had been previously excused, and Mr. Talbot.

The Speaker announced the signing of Council joint memorial and resolution No. 5, "a memorial to the honorable commissioner of Indian affairs," concerning the Shoshone reservation.

Mr. Clark, from the committee on enrollment, reported H. B. No. 26, "a bill for an act fixing the compensation of the officers of the House and Council," as correctly enrolled.

The following message was received from the Council:

COUNCIL CHAMBER,
December 9th, 1871. }

To the Honorable Speaker of the House:

SIR: I have the honor to inform the honorable House that C. F. No. 17, "to protect the citizens of Wyoming from empiricism," &c.,

And

C. F. No. 26, "to provide for the maintenance of illegitimate children," have this day passed the Council, and are herewith transmitted.

Also, that

H. B. No. 7, "to regulate the revenue laws," &c., was this day placed upon its passage and rejected in the Council, and is herewith returned.

Also, that as to

C. F. No. 9, "to amend the license law," the Council do not concur in all the amendments of the House, and request the House to appoint a committee of conference thereon. That on the part of the Council, Messrs. Corlett and Harrison have been appointed such committee, and that the bill, with amendments, is in the hands of those gentlemen.

Also,

That there was to-day introduced in the Council,

By Mr. Bennett, C. F. No. 31, "for appropriation for the transportation of criminals, for the expenses of territorial officers, &c., for contingent fund for Governor," &c.

Very Respectfully,

THOS. J. STREET,
Secretary of Council.

The Speaker announced as a committee of conference on the part of the House, for the consideration of C. F. No. 9, Messrs. Blair and Kuykendall.

The Speaker announced the signing of House Bill No. 26, "an act

fixing the compensation of the officers of the House and Council."

On motion of Mr. Clark House Joint Resolution No. 6, relating to postal regulations, was made special order for the evening session to-day, to follow the special order previously assigned.

C. B. No. 28, "an act to return to the general fund in the treasury the unexpended balances," &c., was read third time and put upon its passage:

Ayes—Messrs. Brown, Blair, Castle, Clark, Dayton, Haley, Kuykendall, Pease, Willson and Mr. Speaker—10.

Noes—Messrs. Friend, Nickerson and Talbot—3.

So the bill passed.

H. B. No. 37, "a bill for an act to repeal an act to restrict gaming," was taken up as amended by the committee on judiciary. Amendment adopted.

On motion of Mr. Castle the bill was made special order for Monday next.

Bill was ordered engrossed as amended.

On motion of Mr. Brown, House bill No. 13 was taken from the table, and,

On motion of Mr. Brown, was ordered returned to the Council, with such observations as the Speaker may direct.

Mr. Talbot, by leave of the House, introduced H. B. No. 41, "a bill for an act to fix the compensation of members of the First Legislative Assembly of Wyoming territory."

The Speaker called Mr. Castle to the chair.

H. B. No. 41 was read first time, and

Objected to by Mr. Speaker.

Objection was sustained, and the bill rejected.

On motion of Mr. Talbot the House took a recess till seven o'clock p. m.

House called to order at seven p. m.

The Speaker in the chair.

Absent at roll call, Messrs. Friend, Clark, Nickerson, and Talbot,

(Messrs. Friend and Nickerson having been excused.)

The sergeant-at-arms was dispatched for the absentees, on motion of Mr. Pease.

Speaker announced the signing of Council file No. 28, "an act to return to the general fund in the treasury the unexpended balances in any fund appropriated at the last session of the Legislative Assembly," &c.

On motion of Mr. Willson all further proceedings under call of the House were dispensed with.

The House went into committee of the whole for the consideration of the special order of the day, House Bill No. 4, an act to repeal chapter 31 of the laws of the First Legislative Assembly

of the Territory of Wyoming, and the Governor's veto of the same.

Mr. Dayton was called to the chair.

After which the Speaker resumed the chair, and Mr. Dayton from the committee submitted the following report :

Mr. Speaker :

Your committee of the whole to whom was referred the consideration of the Governor's veto message of H. B. No. 4, "a bill for an act to repeal chapter 31 of the laws of the First Legislative Assembly of the Territory of Wyoming," respectfully report the said bill back to the House, and recommend that it do pass, the Governor's veto to the contrary notwithstanding.

THOS. J. DAYTON, Chairman.

On motion of Mr. Clark the report was adopted.

On motion of Mr. Clark H. B. No. 4 was put upon its passage, the veto of the Governor to the contrary notwithstanding.

Ayes—Messrs. Blair, Castle, Clark, Dayton, Kuykendall, Pease, Talbot, Willson and Mr. Speaker—9.

Noes—Messrs. Brown and Haley—2.

Absent, not voting—Messrs. Friend and Nickerson—2.

So the bill passed, by a two-thirds vote of the House.

On motion of Mr. Pease, the House adjourned.

W. RICHARDSON,

Chief Clerk of the House.

THE MESSAGE OF GOVERNOR J. A. CAMPBELL,

With His Excellency's objections to House Bill No. 4.

To the Honorable, the Speaker of the House of Representatives :

I return herewith to the House of Representatives, in which it originated, a bill for "an act to repeal chapter thirty-one of the laws of the first legislative assembly of the territory of Wyoming."

I regret that a sense of duty compels me to dissent from your honorable body, with regard to any contemplated measure of public policy. It would certainly be more in accordance with the desire I have to secure and preserve the most harmonious relations among all the branches of our territorial government, to approve the bill. A regard, however, for the rights of those whose interests are to be affected by it, and for what I believe to be the best interests of the territory, will not allow me to do so. The consideration besides, that the passage of this bill would, on the part of all those instrumental in bringing it about, be a declaration that the principles upon which the enfranchisement of

women are urged, are false and untenable, and that our experience demonstrates this, influences me not a little, in my present action. While I fully appreciate the great danger of too much attention to abstract speculation or metaphysical reasoning, in political affairs, I cannot but perceive that there are times and circumstances when it is not only proper, but absolutely necessary to appeal to principles somewhat general and abstract, when they alone can point out the way and they alone can guide our conduct.

So it was when two years ago the act which this bill designs to repeal was presented for my approval. There was at that time no experience to which I might refer, and test by its results the conclusions to which the application of certain universally admitted principles led me. In the absence of all such experience, I was driven to the application of principles which through the whole course of our national history have been powerfully and beneficially operative in making our institutions more and more popular, in framing laws more and more just and in securing amendments to our federal constitution.

If the ballot be an expression of the wish or a declaration of the will of the tax-payer as to the manner in which taxes should be levied and collected and revenues distributed, why should those who hold in their own right a large proportion of the wealth of the country be excluded from a voice in making the laws which regulate this whole subject? If again the ballot be for the physically weak, a guarantee of protection against the aggressions and violence of the strong, upon what ground can the delicate bodily organism of woman be forbidden this shield for her protection? If, once more, each ballot be the declaration of the individual will of the person casting it as to the relative merit of opposed measures or men, surely the ability to judge and determine, the power of choice, does not depend upon sex, nor does womanhood deprive of personality. If, these, principles are too general to be free from criticism, and if this reasoning be too abstract to be always practically applicable, both the principles and the reasoning cannot fail of approbation when compared with the gloomy misgivings for the future, and the dark forebodings of evils imaginary, vague and undefined, by dwelling upon which the opponents of this reform endeavor to stay its progress. Aggressive reasoning and positive principles like these must be met with something more than mere doubtful conjectures, must be resisted by something more than popular prejudices, and be overthrown, if overthrown at all, by something stronger than the force of inert conservatism. Yet, what is there but conjecture, prejudice and conservatism opposing the reform?

There is, indeed, an objection to the enfranchisement of women, which is so often made and is so generally accepted as decisive of the whole subject, that it may not be improper briefly to call attention to it. This objection is grounded on the widely prevalent belief that in our political system the right to vote carries with it a liability to perform military service, and accordingly that the ability to bear arms is an essential qualification of suffrage. If this belief be well founded, the conclusion follows inevitably that woman, on account of her physical weakness, should be debarred the exercise of the privilege, the groundlessness of the belief will however appear, when it is considered that through the whole course of our legislation the right to vote is nowhere made to depend on the ability to perform the duties of a soldier. Indeed, by inference, it implies an entire absence of any relation between the two, for in the first place a citizen may vote long after his liability for compulsory military service ceases, and in the second place, a large proportion of our citizens who have been by officers appointed for that purpose, examined, and officially declared incapable of performing the duties of a soldier, are not on that account debarred from the rights and privileges of an elector, should it become in a reality an established principle of American government that only those who are capable of bearing arms, and who are within the legally prescribed age, when they are liable to be called upon to enforce by the sword or bayonet the will they have expressed by the ballot, shall be entitled to vote and hold office, our national house of representatives would be deprived of nearly one-half and our Senate of three-fourths of its members, and many men who have adorned the age and rendered the American name illustrious in statesmanship, in arms, and in letters, would be disfranchised, and war itself would have an additional terror for the wounded and maimed hero, returning to his home would do it with the conscientiousness that the bullet which deprived him of his health or his name, deprived him also of any voice in the government of the country.

But it is said that it will degrade woman to mingle in the dirty pool of politics. By what course of reasoning a conclusion so opposed to all the experience of mankind is reached, I cannot clearly perceive. Give to a man better opportunities for his development, clothe him with responsibility, and he will endeavor to rise equal to the demands of his position. With the higher duties will come higher aims, nobler aspirations and increased self-respect. So will it be with woman when her voice is potential in moulding public policy, in making laws and choosing the officers to execute those laws, and in all the ennobling and elevating duties of American citizenship, then she will rise to the higher level of a nobler life,

and the inanition and frivolty of the merely fashionable woman of to-day will be unknown. Concede and assert the individuality of woman and she will have an incentive to elevate not only herself but all the pursuits and interests with which she may identify herself, and politics will be no longer a dirty pool, corrupting those who mingle in it, but a clear, pellucid fountain, bestowing life and health on the whole body politic.

Again it is said that men are the natural protectors of their mothers, wives and sisters. If you legislate upon that theory what provisions have you made for those women who have neither sons, husbands nor brothers? If this doctrine of guardianship is to obtain, carry it to its logical results and pass laws providing for the appointment of guardians for all women who are now or who may become residents of this territory, and who have in the course of nature been deprived of their natural protectors. Amend your excellent law in relation to guardians and wards so as to extend over women the care and control you exercise over minors. Deprive them of the right to make contracts or to hold property under the laws which you will give them no voice in forming. Be consistent, and remand woman to that condition of tutelage and dependence which is her lot in all barbarous and uncivilized countries, and out of which she has been for eighteen centuries gradually but slowly emerging in all nations that have been blessed by the benign rays of a christian civilization.

The law granting to women the right to vote and to hold office in this territory was a natural and logical sequence to the other laws upon our statute books. Our laws give to the widow the guardianship of her minor children, will you take from her all voice in relation to the public schools established for the education of those children? Our laws permit women to acquire and possess property, will you forbid them having any voice in relation to the taxation of that property? This bill says too little or too much—too little if you legislate upon the assumption that woman is an inferior, who should be kept in a subordinate position, for in that case the other laws affecting her should be repealed or amended; and too much if she is, as no one will deny, the equal of man in heart and mind, for in that case we cannot afford to dispense with her counsel and assistance in the government of the territory.

To the statement so often made that the law which this bill is intended to repeal was passed thoughtlessly, and without proper consideration, I oppose the fact to which I have adverted, that the law perfectly conforms to all the other laws in relation to women upon our statute books; studied in connection with the other laws it would seem to have grown naturally from them. It harmonizes entirely with them and forms a fitting apex to the

grand pyramid which is being built up as broadly and as surely throughout all of the States of the Union as it has been built up and capped in Wyoming.

I need only instance section nine of the school act, which declares that, "in the employment of teachers no discrimination shall be made in the question of pay on account of sex, when the persons are equally qualified." What is more natural than that man who thought women were competent to instruct the future voters and legislators of our land, should take the one step in advance of the public sentiment of yesterday and give to her equal wages for equal work? And when this step had been taken what more natural than that they should again move forward, this time perhaps a little in advance of the political sentiment of today, and give to those whom they consider competent to instruct voters the right to vote? The world does not stand still. The dawn of christianity was the dawn of light for woman. For eighteen centuries she has been gradually rising from the condition of drudge and servant for man to become his helpmeet and counsellor and companion; as she has been advanced in the social scale our laws have kept pace with that advancement, and conferred upon her rights and privileges, with accompanying duties and responsibility; she has not abused these privileges and has been found equal to the responsibilities, and the day is not far distant when the refining and elevating influence of woman will be as clearly manifested in the political as it now is in the social world.

Urged by all these considerations of right and justice and expediency, and the strong conviction of duty, I approved the act of which this bill contemplates the repeal, and it became a law. To warrant my reconsidering that action there ought to be in the experience of the last two years something to show that the reasons upon which it was founded were unsound, or that the law itself was wrong, or at least unwise and inexpedient. My view of the teachings of this experience is the very reverse of this; women have voted, and have the officers chosen been less faithful and zealous, and the legislature less able and upright than before their enfranchisement? They have sat as jurors, and have the laws been less faithfully and justly administered, and criminals less promptly and adequately punished? Indeed, the lessons of this two years' experience fully confirm all that has been claimed by the most ardent advocate of this innovation.

In this territory women have manifested for its highest interests a devotion strong and ardent and intelligent. They have brought to public affairs a clearness of understanding and a soundness of judgment which, considering their exclusion hitherto from practical participations in political agitations and movements, are worthy of the greatest admiration and above all, praise.

The conscience of women, in all things more discriminating and sensitive than that of men, their sense of justice not compromising or time-serving, but pure and exacting—a love of order, not spasmodic or sentimental merely, but springing from the heart—all these the better conscience, the exalted sense of justice and the abiding love of order, have been made by the enfranchisement of women to contribute to the good government and well being of our territory. To the plain teachings of these two year's experience I cannot close my eyes, I cannot forget the benefits that have already resulted to our territory from woman suffrage, nor can I permit myself even to seem to do by approving this bill. There is another, and in my judgment a serious objection to this bill, which I submit for the consideration and action of your honorable body. It involves a reference to that most delicate and difficult of questions, the limitations of legislative power. High and transcendent as that power undoubtedly and wisely is, there are limits which not even it can pass. Two years ago the legislature of this territory conferred upon certain of its citizens certain valuable rights and franchises; can a future legislature by the passage of a law, not liable to the objection that it impairs the obligation of contracts, take away those rights? It is not claimed, so far as I have been informed, that the class upon whom these franchises were conferred have forfeited or failed to take advantage of them. But even if such were the case, it would be rather a matter for judicial determination than for legislative action. What that determination would be is clearly indicated in the opinion of Associate Justice Story in the celebrated case of *Trustees of Dartmouth College vs. Woodward*; "The right to be a freeman of a corporation is a valuable temporal right. * * * "It is founded on the same basis as the right of voting in public elections; it is as sacred a right, and whatever might have been the prevalence of former doubts, since the time of Lord Holt such a right has always been deemed a valuable franchise or privilege."

But even if we concede that these rights, once acquired, may be taken away, the passage of this bill would be, in my judgment, a most dangerous precedent. Once admit the right of a representative body to disfranchise its own constituents, and who can establish the limits to which that right may not be carried? If this Legislature takes from women their franchises or privileges, what is to prevent a future Legislature from depriving certain men, or classes of men whom, from any consideration, they desire to disenfranchise, of the same rights? We should be careful how we inaugurate precedents which may "return to plague the inventors," and be used as a pretext for taking away our liberties.

It will be remembered that in my message to the Legislature

at the commencement of its present session, I said: "There is upon our statute books 'an act granting to the women of Wyoming territory the right of suffrage and to hold office,' which has now been in force two years. Under its liberal provisions women have voted in the territory, served on juries, and held office. It is simple justice to say that the women, entering for the first time in the history of the country upon these new and untried duties, have conducted themselves with as much tact, sound judgment and good sense as the men. While it would be claiming more than the facts justify to say that this experiment, in a limited field, has demonstrated beyond a doubt the perfect fitness of women at all times, and under all circumstances, for taking a part in the government, it furnishes at least reasonable presumptive evidence in her favor, and she has a right to claim that, so long as none but good results are made manifest, the law should remain unrepealed."

These were no hastily formed conclusions, but the result of deliberation and conviction, and my judgment to-day approves the language I then used.

For the first time in the history of our country we have a government to which the noble words of our *magna charta* of freedom may be applied, not as a mere figure of speech, but as expressing a simple grand truth, for it is a government which "derives all its just powers from the consent of the governed." We should pause long and weigh carefully the probable results of our action before consenting to change this government, a regard for the genius of our institutions—for the fundamental principles of American autonomy—and for the immutable principles of right and justice, will not permit me to sanction this change.

These reasons for declining to give my consent to the bill I submit with all deference for the consideration and judgment of of your honorable body.

J. A. CAMPBELL.

WYOMING TERRITORY, }
 EXECUTIVE DEPARTMENT, }
 Cheyenne, 4th December, 1871. }

TWENTY-NINTH DAY.

HALL OF THE HOUSE OF REPRESENTATIVES, }
 Monday, December 11th, 1871. }

House met at ten o'clock a. m.

Speaker in the chair.

Absent at roll call, Mr. Friend, who had been excused.

Journal of the previous day was read and approved.

Mr. Brown was called to the chair by the Speaker.

Mr. Speaker gave notice of the following bills, viz. :
 "A bill to amend the divorce law of the Territory."

Also,

"A bill concerning the enforcing within the territory of Wyoming of certain contracts made for labor."

Mr. Clark, of the committee of ways and means, submitted the following report:

DECEMBER 11th, 1871.

Mr. Speaker:

Your committee to whom was referred Council file No. 3, "a bill for an act to amend an act entitled an act to provide a territorial and county revenue," have had the same under consideration, and beg leave to report it back to the House, with the recommendation that it do pass.

Respectfully,

GIBSON CLARK, Chairman.

On motion of Mr. Kuykendall, the report and bill to which it refers were committed to a committee of the whole House, and placed in the file of general orders of the day.

Mr. Nickerson, from the committee on engrossment, reported H. B. No. 37, correctly engrossed.

Mr. Pease from the committee on territorial affairs and internal improvements, submitted the following report :

Honorable Speaker of the House of Representatives:

Your committee on territorial affairs and internal improvements, to whom H. Bill No. 38, "a bill for an act to locate and establish the seat of government of this territory at Evanston, Uinta county, have had the same under consideration and beg leave to report it back to the House with the recommendation that it do pass.

Respectfully,

E. L. PEASE, Chairman.

On motion of Mr. Pease the report was adopted.

Mr. Kuykendall moved to refer the bill and report of the committee upon the same to a committee of the whole House.

Lost.

Mr. Clark, from committee on enrollment, reported having placed in the hands of his excellency, Governor J. A. Campbell, at the hour of four o'clock and forty-five minutes p. m., of Saturday, 9th instant,

H. Bill No. 26, "an act fixing the compensation of the clerks and other officers of the Legislative Assembly," for his action.

H. B. No. 42, "to locate the county seat of Sweetwater county."

Read first time.

Objected to by Mr. Nickerson.

Objection overruled by House.

Read second time, and

On motion of Mr. Willson to refer to proper committee, was by Speaker referred to committee on counties and county boundaries.

H. bill No. 43, "to relocate seat of government of Wyoming territory,"

Read first time.

Objected to by Mr. Kuykendall.

Objection overruled by the House.

Read second time, and

On motion Mr. Pease ordered engrossed.

Speaker resumed the chair.

C. F. No. 26, "to provide for maintenance of illegitimate children,"

Read first time.

Objected to by Mr. Castle.

Objection overruled by the House.

Read second time, and,

On motion of Mr. Brown, referred to committee of whole, and ordered put upon general file of order of the day.

C. bill No. 21, "to regulate the sale of goods, wares and merchandise."

Read twice, and,

On motion of Mr. Kuykendall, referred to committee of whole, and placed upon file of general orders of the day.

C. F. No. 17, "to prevent empiricism."

Read twice, and,

On motion of Mr. Brown, referred to committee of whole and ordered placed upon general file of the order of the day.

Also,

On motion of Mr. Brown, H. B. No. 39, "to authorize the Hon. H. Glafcke to purchase maps," &c., was referred to committee of whole and ordered placed upon general order file.

H. J. M. R. No. 8, "to the Hon. W. W. Belknap, Secretary of War, in relation to a military post in the North Park,"

Was read for information,

Then read third time and put on its passage:

Ayes—Messrs. Brown, Blair, Clark, Dayton, Haley, Kuykendall, Nickerson, Pease, Talbot, Willson, and Mr. Speaker—11.

Absent, not voting—Messrs. Castle and Friend—2.

H. B. No. 34, "defining jurisdiction of justices of peace in criminal trials and of proceedings therein,"

Was read for information, and

On motion of Mr. Kuykendall the House went into committee of whole for the consideration of same, at 11:20 a. m.

Mr. Clark was called to the chair.

At 12:05 p. m., the Speaker resumed the chair, and

Mr. Clark, of committee of whole, offered the following report:

Mr. Speaker:

Your committee of the whole, to whom was referred H. Bill No. 34, beg leave to report that they have had the same under consideration and request further time for its consideration, and also request that it be again referred to a committee of the whole upon the reassembling of the House at two o'clock p. m., after the usual recess.

GIBSON CLARK, Chairman.

On motion of Mr. Talbot the report was adopted.

On motion of Mr. Dayton the House took a recess till two p. m.

Two p. m., House met.

Speaker in the chair.

Absent at roll call, Messrs. Blair, Talbot and Mr. Friend, the latter being excused.

On motion of Mr. Pease the sergent-at-arms was dispatched for absentees.

Mr. Nickerson, from the committee on engrossment, reported H. J. R.'s No. 6 and 7 correctly engrossed; also, H. B. No. 43.

On motion of Mr. Willson, all further proceedings under call of the House were dispensed with.

The following message was received from the Council:

COUNCIL CHAMBER,
December 11th, 1871. }

To the Honorable Speaker of the House Representatives:

SIR: I am directed to inform the honorable House that

C. B. No. 7, "an act apportioning the territory of Wyoming into Council and Legislative districts, and for other purposes," has this day passed the Council, and is herewith enclosed.

Also,

C. F. No. 10, "for an act to prevent frauds and perjuries," has this day passed the Council, and is herewith enclosed.

Also,

H. B. No. 5, "concerning volunteer militia companies," has this day passed the Council without amendments, and is herewith enclosed.

Also,

H. B. No. 21, "concerning the establishing of a road from Rawlins to the Snake river mining district," has passed the

Council with an amendment, which please find attached, and the bill as amended is herewith enclosed.

Yours respectfully,

THOS. J. STREET,

Secretary of Council.

On motion of Mr. Kuykendall the House went into committee of the whole for the consideration of House bill No. 34, "an act defining the jurisdiction of justices of the peace in criminal trials, and of the proceedings therein."

Mr. Clark in the chair.

After which the Speaker resumed the chair, and

Mr. Clark, from the committee of the whole, submitted the following report:

Mr. Speaker:

Your committee of the whole to whom was referred House bill No. 34, have had the same under consideration, and beg leave to report it back to the House, with amendments, and to recommend its passage as amended.

Respectfully,

GIBSON CLARK, Chairman.

On motion of Mr. Castle the report was adopted.

On motion of Mr. Brown the amendments of the committee of the whole to H. B. No. 34, were read by sections and adopted.

On motion of Mr. Kuykendall H. B. No. 34 was referred to the engrossing committee with instructions to have the amendments interlined upon the original bill.

By consent, Mr. Pease introduced H. B. No. 44, "an act to provide for a special election on the question of "woman suffrage."

On motion of Mr. Kuykendall the rules were suspended and H. B. No. 44 was read first time.

Objected to by Mr. Willson and Mr. Brown.

Objection sustained by the House and the bill was rejected.

On motion of Mr. Kuykendall H. B. No. 33, "a bill to establish the courts of and define the jurisdiction of justices of the peace,"

Was read the second time.

On motion of Mr. Pease H. B. No. 38 was taken up, and

Mr. Kuykendall moved that H. B. No. 38 be made special order for Wednesday next.

Lost.

Mr. Brown moved to amend H. B. No. 38 by striking out the word "Evanston" wherever it occurred and inserting "Laramie City," and by striking out the word "Uinta" wherever it occurs and inserting the word Albany in lieu thereof.

Mr. Kuykendall moved to adjourn.

Lost.

Mr. Pease moved the previous question.

Lost.

Mr. Brown's amendment was lost.

On motion of Mr. Pease H. B. No. 38 was ordered to be engrossed.

On motion Mr. Castle, the House took a recess till seven p. m.

House called to order at seven p. m.

Speaker in the chair.

Absent at roll call, Messrs. Brown and Friend, the latter having been excused.

On motion of Mr. Pease the sergeant-at-arms was dispatched for the absentees.

Mr. Nickerson, from the committee on engrossment, reported back H. B. No. 38 as correctly engrossed.

Mr. Clark moved that all further proceedings under call of the House be dispensed with.

Lost.

Mr. Clark moved to adjourn.

Lost.

On motion of Mr. Brown, all further proceedings under the call of the House were dispensed with.

Mr. Pease moved that H. B. No. 38 be taken up and put upon its passage.

Mr. Kuykendall moved that H. B. No. 38 be amended to substitute for Evanston, Green River, and for Uinta, Sweetwater.

Mr. Dayton was called to the chair.

Mr. Castle moved the previous question on the amendment.

Carried.

The ayes and noes were demanded upon the adoption of the amendment, by Messrs. Clark, Haley and Brown.

Ayes—Messrs. Blair, Clark, Kuykendall and Talbot—4.

Noes—Messrs. Brown, Castle, Dayton, Haley, Nickerson, Pease and Willson—7.

Absent—Mr. Friend—1.

Excused—Mr. Speaker—1.

So the amendment was lost.

Mr. Sheeks called for the previous question.

Mr. Kuykendall moved to adjourn.

Lost.

Ayes and noes were called for by Messrs. Kuykendall, Clark and Talbot.

Ayes—Messrs. Blair, Clark, Kuykendall, Talbot, and Willson—5.

Noes—Messrs. Brown, Castle, Dayton, Haley, Nickerson, Pease, and Mr. Speaker—7.

Absent, not voting—Mr. Friend.

So the motion was lost.

The vote was taken upon the previous question,
 "Shall the main question be now put."

Lost.

Mr. Kuykendall moved to adjourn.

Lost.

Messrs. Kuykendall, Clark and Talbot demanded the ayes and noes.

Ayes—Messrs. Blair, Clark, Kuykendall, Talbot and Willson—5.

Noes—Messrs. Brown, Castle, Dayton, Haley, Nickerson, Pease and Mr. Speaker—7.

Absent, not voting—Mr. Friend—1.

So the motion was lost.

Mr. Willson moved to amend by striking out the word "Evanston," where the same occurs, and insert in lieu the word "Rawlins Springs," and by striking out the word "Uinta" and inserting the word "Carbon," respectively, where the words occur.

Mr. Sheeks moved the previous question on the amendment.
 Carried.

Mr. Clark moved to adjourn.

Lost.

The ayes and noes were called upon the question of the adoption of the amendment of Mr. Willson, having been demanded by Messrs. Clark, Kuykendall, and Talbot.

Ayes—Messrs. Blair, Clark, Kuykendall, Talbot, and Willson—5.

Noes—Messrs. Brown, Castle, Dayton, Haley, Nickerson, Pease, and Mr. Speaker—7.

Absent—Mr. Friend—1.

So the amendment was lost.

Mr. Kuykendall moved to amend by striking out the word "Evanston" and inserting "South Pass City," and by striking out the word "Uinta" wherever the same occurs, and inserting the word "Sweetwater."

Pending which,

On motion of Mr. Pease, the House adjourned.

WARREN RICHARDSON,

Chief Clerk of the House.

THIRTIETH DAY.

HALL OF THE HOUSE OF REPRESENTATIVES, }
 Tuesday, December 12th, 1871. }

The House met at ten o'clock a. m.

Speaker in the chair.

Prayer by the chaplain.

Absent at roll call, Mr. Friend, excused on 9th inst.

The journal of the previous day was read and approved.

Mr. Clark was called to the chair.

Mr. Sheeks introduced H. B. No. 45, "a bill for an act to prohibit the enforcing of certain contracts for labor.

Read twice, and,

On motion of Mr. Castle, ordered engrossed.

The Speaker resumed the chair.

On motion Mr. Willson the rules were suspended to enable Mr. Pease to introduce a bill, of which previous notice had not been given.

Mr. Pease introduced H. B. No. 46, "for an act to amend an act entitled an act to secure the free passage of logs and lumber down the several creeks and rivers of the territory.

Read twice, and ordered engrossed.

Council File No. 10, "a bill for an act to prevent frauds and perjuries."

Read twice and referred to committee on judiciary.

C. F. No. 7, "an act apportioning the territory of Wyoming into council and legislative districts."

Read first time, and

Objected to by Messrs. Pease, Brown, and Castle.

Ayes and noes demanded by Messrs. Haley, Pease, and Castle.

On the question, "Shall this bill be rejected?"

Ayes—Messrs. Brown, Blair, Castle, Dayton, Haley, Pease—6.

Noes—Messrs. Clark, Kuykendall, Nickerson, Talbot, Willson, and Mr. Speaker—6.

Absent—Mr. Friend—1.

So the House refused to reject the bill, and

C. F. No. 7 was read the second time and referred to the committee on elections.

The following message was received from the Council :

COUNCIL CHAMBER,
December 12th, 1871. }

To the Honorable Speaker of the House :

SIR: I have the honor to inform your honorable body that the enclosed

H. B. No. 12, with amendment attached, has passed the Council.

Respectfully,

A. G. LEE,
Asst. Secretary Council.

Mr. Brown moved that H. B. No. 43, "an act to relocate the seat of government of Wyoming territory," be put upon its passage.

Previous question called for by Messrs. Brown, Haley, and Pease.

Lost.

Mr. Clark moved to make the bill the special order for Wednesday, at eleven a. m.

Mr. Brown moved an amendment to make the bill the special order for seven p. m. to-day.

Lost.

The original motion was lost.

Mr. Castle moved that the bill be made special order for four p. m. to-day.

Mr. Clark offered an amendment that it be made special order for seven p. m. to-day.

Mr. Kuykendall moved to amend the amendment by making it the special order for to-morrow at seven p. m.

The amendment to the amendment and the amendment itself was lost.

And the original motion, making the bill the special order for four p. m. to-day prevailed.

House Joint Resolution and M. No. 7, praying for an increase of compensation to members of the Legislative Assembly of Wyoming Territory, was read third time and put upon its passage:

Ayes—Messrs. Brown, Blair, Castle, Clark, Dayton, Haley, Kuykendall, Nickerson, Pease, Talbot and Mr. Speaker—11.

Noes—Mr. Willson—1.

Absent—Mr. Friend.

So the J. R. and M. passed.

On motion of Mr. Brown the House went into committee of the whole for the consideration of the general orders of the day. Eleven a. m., Mr. Pease was called to the chair.

At twelve m. the Speaker resumed the chair, and

Mr. Pease, from the committee of the whole, reported progress and asked leave for the committee to sit again.

On motion Mr. Brown the House took a recess till two p. m.

The House was called to order at two p. m.

Speaker in the chair.

Absent at roll call—Messrs. Brown and Friend, the latter under excuse of the House.

The House then went into committee of the whole for the consideration of the general orders of the day.

At 3:10 p. m. the Speaker resumed the chair, and

Mr. Pease, from the committee of the whole, submitted the following report:

Mr. Speaker:

Your committee of the whole house have had Council File No. 17 under consideration, "a bill for an act to protect the citizens of

the territory of Wyoming from empiricism and to elevate the standing of the medical profession," and beg leave to report the same back to the House with the recommendation that it do pass.

They have also had Council File No. 26 under consideration, "a bill for an act to provide for the maintenance of illegitimate children," and respectfully refer it back to the House with the recommendation that it do not pass;

And, also,

Council File No. 21, "a bill for an act to regulate the sale of goods, wares and merchandise," and report the bill back to the House with the following amendment, that the word five hundred in the first section and twenty-third line be stricken out and the word one hundred and fifty be inserted in lieu thereof, and recommend its passage as amended;

Also,

H. B. No. 39, "a bill for an act authorizing the Honorable H. Glafcke, Secretary of Wyoming, to purchase maps and for other purposes," and report the same back to the House with the following amendments, that the words "Hon. H. Glafcke" be stricken out wherever they may occur therein, so as to read Secretary of Wyoming, and recommend its passage as amended;

Also,

Council File No. 3, "a bill for an act to amend an act entitled an act to provide a territorial and county revenue," and report the same back to the House with amendments, and recommend the passage as amended.

Very respectfully,

E. L. PEASE, Chairman.

On motion of Mr. Talbot the report was adopted.

Mr. Brown moved that each bill reported on be taken up in its order and acted upon by the House.

Carried.

C. F. No. 17, "to prevent empiricism," &c.,

Was read third time and put upon its passage:

Ayes—Messrs. Brown, Blair, Castle, Clark, Dayton, Haley, Kuykendall, Nickerson, Pease, Talbot, Willson—11.

Noes—Mr. Sheeks—1.

Absent—Mr. Friend.

So the bill passed.

On motion of Mr. Castle, C. F. No. 26, "a bill for an act to provide for the maintenance of illegitimate children," was indefinitely postponed.

C. F. No. 21, "a bill for an act to regulate the sale of goods, wares and merchandise," was amended by striking out the words "five hundred," in the twenty-third line of the first section, and inserting "one hundred and fifty" in lieu thereof.

The bill, as thus amended, was read a third time and put upon its passage.

Ayes—Messrs. Brown, Blair, Castle, Clark, Dayton, Haley, Kuykendall, Nickerson, Pease, Talbot—10.

Noes—Messrs. Willson and Mr. Speaker—2.

Absent—Mr. Friend—1.

So the bill as amended passed.

On motion of Mr. Brown, the amendments to H. B. No. 39, viz.: Striking out the words "Hon. Herman Glafcke" wherever the same occurs in the bill, was adopted,

And the bill ordered engrossed as amended.

Council file No. 3, "a bill for an act to amend an act entitled an act to provide a territorial and county revenue," was amended as recommended by the committee of the whole, and,

On motion of Mr. Castle, was

Read third time and put upon its passage.

Ayes—Messrs. Blair, Castle, Clark, Dayton, Pease, and Mr. Speaker—6.

Noes—Messrs. Haley, Nickerson, Talbot, and Willson—4.

Absent—Messrs. Brown and Friend—2.

Excused from voting—Mr. Kuykendall.

So the bill as amended passed.

On motion of Mr. Castle the House went into committee of the whole for the consideration of special order of yesterday.

Mr. Kuykendall in the chair.

The Speaker resumed the chair to receive the following message from the governor:

WYOMING TERRITORY,
EXECUTIVE DEPARTMENT,
CHEYENNE, 12th December, 1871. }

To the Honorable, the Speaker of the House of Representatives :

I have the honor to inform the House of Representatives that I have approved

"An act for the repeal of chapter fifty-three of the laws of the territory of Wyoming, session of 1869, entitled 'an act increasing the salaries of the judges of the supreme court.'"

Also,

An act fixing the compensation of the clerks and other officers of the Legislative Assembly of the Territory of Wyoming.

Very Respectfully,

J. A. CAMPBELL.

After which Mr. Kuykendall, from the committee of the whole, submitted the following report :

Mr. Speaker :

The committee of the whole, to whom was referred H. B. No. 37,

H. J. M. and R. No. 4, and H. B. No. 29, have had the same under consideration, and beg leave to report H. B. No. 37 and H. J. M. and R. No. 4, back to the House with the recommendation that they both do pass, and beg leave to report House bill No. 29 back to the House with the recommendation that it be indefinitely postponed.

W. L. KUYKENDALL,

Chairman of Committee of Whole.

On motion of Mr. Pease the report was adopted.

On motion of Mr. Castle the House adjourned.

W. RICHARDSON,

Chief Clerk of the House.

THIRTY-FIRST DAY.

HALL OF THE HOUSE OF REPRESENTATIVES, }
 Wednesday, December 13th, 1871. }

House called to order at ten o'clock a. m.

Speaker in the chair.

Prayer by the chaplain.

Absent at roll call, Messrs. Brown and Pease.

Journal of the previous day read and approved.

Mr. Sheeks gave notice that on to-morrow he would introduce a resolution to strike out of rule No. 45 the words "except that portion of rule five relating to the third reading of bills."

Mr. Clark, from the committee of ways and means, submitted the following report:

Mr. Speaker:

Your committee on ways and means, to whom was referred H. B. No. 32, have the honor to report the same back, with amendments, and recommend its passage.

Respectfully,

GIBSON CLARK.

On motion of Mr. Castle the report was adopted.

Mr. Haley, from the committee on education and public printing, submitted the following report:

Mr. Speaker:

Your committee on education and public printing, to whom was referred the report of superintendent of public instruction, have had the same under consideration, and report the same back to the House, without recommendation.

ORA HALEY, Chairman.

Mr. Friend, from the committee on engrossment, reported House Bills No. 22 and 39 as correctly engrossed.

Mr. Kuykendall, from the committee on judiciary, submitted the following report:

Mr. Speaker :

The committee on judiciary, to whom was referred H. Bill No. 40, for "an act for the relief of the treasurer of Carbon county," have had the same under consideration, and beg leave to report the same back to the House with recommendation that it do pass.

W. L. KUYKENDALL,
Chairman.

On motion of Mr. Friend the report was adopted.

Mr. Speaker :

The committee on judiciary, to whom was referred Council Bill No. 10, for "an act to prevent fraud and perjuries," have had the same under consideration and beg leave to report the same back to the House with the recommendation that the same do pass.

W. L. KUYKENDALL, Chairman.

On motion of Mr. Willson the report was adopted.

Mr. Clark, from the committee on enrollment, reported H. B. No. 5 correctly enrolled.

The following message was received from the Council:

COUNCIL CHAMBER,
December 12th, 1871. }

To the Honorable Speaker of the House of Representatives :

SIR: I have the honor to inform your honorable body that the enclosed

C. F. No. 22, for "an act to amend the code of civil procedure," &c., has this day passed the Council.

Also, that the enclosed

C. F. No. 27, for "an act to provide a lien for miners," has this day passed the Council.

Also, that there were to-day introduced into the Council the following bills, viz.:

C. F. No. 32, for "an act to develop the mining resources of the territory," and

C. F. No. 33, for "an act relating to territorial prisoners," and

C. F. No. 34, for "an act to provide for the erection of public buildings."

Very respectfully,

THOS. J. STREET,
Secretary of Council.

On motion of Mr. Friend, H. B. No. 40 was ordered engrossed.

Mr. Brown, of special committee appointed under the resolution in relation to judges of the supreme court, reported upon the matter referred to said committee.

Mr. Clark was called to the chair.

On motion of Mr. Sheeks the report was referred back to the special committee, with instructions to enquire into and recommend some proper action on the part of the House looking to the recovery of the money illegally paid from the territorial treasury.

H. B. No. 47, "a bill for an act to amend an act entitled an act to regulate divorces and allimony," was introduced by Mr. Sheeks.

Read twice, and

On motion of Mr. Brown, was referred to the committee on judiciary.

Mr. Castle introduced H. J. R. and M. No. 9, representing the right of the people of the territories to a voice in their government and taxation.

Read first time,

Pending which,

Mr. Haley moved that further reading of the same be dispensed with.

Lost,

The memorial was read second time, and

On motion of Mr. Kuykendall ordered to be engrossed.

The following message was received from the Council :

COUNCIL CHAMBER,
December 13th, 1871. }

To the Honorable Speaker of the House :

SIR: I have the honor to inform your honorable body that the Council has this day refused to concur in the amendments of the honorable House to C. F. No. 3, for an act to amend an act to provide a territorial and county revenue, and request the House to appoint a committee of conference of two members of the House to confer with a like committee on the part of the Council, and that Messrs. Steele and Downey have been appointed such committee on the part of the Council, and have in their hands the bill and amendments thereto.

Very respectfully,

THOS. J. STREET,
Secretary of Council.

H. B. No. 39, a bill for "an act to authorize the secretary of the territory to purchase maps, and for other purposes," was

Read third time and put upon its passage.

Ayes—Messrs. Blair, Castle, Friend, Haley, Kuykendall, Nickerson, Pease, Talbot, and Willson—9.

Noes—Messrs. Clark, Dayton, and Mr. Speaker—3.

Excused from voting—Mr. Clark.

So the bill passed.

House joint M. and R. No. 4, "praying an enlargement of the jurisdiction of justices of the peace," was,

On motion of Mr. Castle, read third time by title, and put upon its passage.

Ayes—Messrs. Brown, Blair, Castle, Clark, Dayton, Haley, Nickerson, Talbot, and Mr. Speaker—9.

Noes—Messrs. Friend, Pease, and Willson—3.

Excused from voting—Mr. Kuykendall.

So the bill passed.

H. B. No. 37, "a bill for an act to repeal an act to restrict gaming," was

Read third time and put upon its passage.

Ayes—Messrs. Brown, Blair, Castle, Haley, Kuykendall, Pease, Talbot, and Mr. Speaker—8.

Noes—Messrs. Clark, Dayton, Friend, Nickerson, and Willson—5.

So the bill passed.

H. B. No. 46, for "an act to amend an act to secure the free passage of logs and lumber down the several creeks and rivers of the territory," was.

On motion of Mr. Castle, read third time by title, and put upon its passage.

Ayes—Messrs. Brown, Blair, Castle, Clark, Dayton, Friend, Haley, Kuykendall, Nickerson, Pease, Talbot, Willson, and Mr. Speaker—13.

So the bill passed.

H. B. No. 45, "for an act to prohibit the enforcing of certain contracts for labor," was

On motion of Mr. Brown, read by title and put upon its passage:

Ayes—Messrs. Brown, Blair, Castle, Clark, Dayton, Friend, Haley, Kuykendall, Nickerson, Talbot and Mr. Speaker—11.

Noes—Messrs. Pease and Willson—2.

So the bill passed.

C. F. No. 10, "for an act to prevent frauds and perjuries," was

On motion of Mr. Brown, read third time by title and put upon its passage:

Ayes—Messrs. Brown, Blair, Castle, Clark, Dayton, Friend, Haley, Kuykendall, Nickerson, Pease, Talbot, Willson and Mr. Speaker—13.

So the bill passed.

H. B. No. 38, "to locate the seat of government of Wyoming territory," was

On motion of Mr. Friend, made special order for seven p. m. to-day.

H. B. No. 22, "for an act for the better protection of stock," was read for information, and

On motion of Mr. Brown, was indefinitely postponed.

H. B. No. 29, "for an act amendatory to an act to locate the penitentiary, was,

• On motion of Mr. Brown, indefinitely postponed.

Ayes and noes having been demanded by Messrs. Brown, Haley and Dayton, resulted as follows :

Ayes—Messrs. Brown, Dayton, Friend, Haley, Nickerson, Willson, and Mr. Speaker—7.

Noes—Messrs. Blair, Clark, Kuykendall, Pease, Talbot—5.

Absent—Mr. Castle—1.

So the bill was declared indefinitely postponed.

Mr. Pease moved a recess till two p. m.

Lost.

H. B. No. 32, "an act for the relief of T. J. Carr," &c., was taken up, amended, and ordered,

On motion of Mr. Talbot, to be engrossed as amended.

On motion of Mr. Friend the House took a recess till two p. m.

House called to order at two p. m.

Speaker in the chair.

Absent at roll call, Mr. Dayton.

The Speaker announced the signing of C. F. No. 17, "to protect the citizens of Wyoming from empiricism," &c.

Mr. Friend, from the committee on engrossment, reported H. bills Nos. 32 and 40, correctly engrossed.

Mr. Clark, from the committee on enrollment, submitted the following report:

DECEMBER 13, 1871.

Mr. Speaker :

I have the honor to report that to-day, at the hour of twelve o'clock and thirty minutes p. m., I placed in the hands of his excellency John A. Campbell, governor of the territory, for his action, H. bill No. 5, "a bill for an act to authorize the formation of volunteer militia companies."

Very respectfully,

GIBSON CLARK.

H. B. No. 21, "to establish a territorial wagon road from Rawlins to the Snake river mining district," having been returned from the Council with amendments, was read, and,

On motion of Mr. Willson, the House concurred in the amendments of the Council.

H. B. No. 12, "to legalize the acts of the board of county commissioners of Albany county," having been returned from the Council with amendments, was read as amended, and

Mr. Dayton moved that the House refuse to concur in the amendments of the Council, and ask for a committee of conference on the same.

Carried, and

Speaker appointed as such committee Messrs. Dayton and Brown.

The Speaker appointed as committee of conference on the part of the House for the consideration of Council File No. 3, Messrs. Pease and Willson.

On motion of Mr. Talbot the House went into committee of the whole for the consideration of H. J. R. No. 6, and C. B. No. 13, and H. B. No. 33.

At two o'clock and thirty minutes p. m. Mr. Nickerson was called to the chair.

At 2:55 p. m., Speaker resumed the chair, and

Mr. Nickerson, from the committee of the whole, submitted the following report :

DECEMBER, 13, 1871.

Mr. Speaker :

Your committee of the whole House, to whom to was referred C. F. No. 13 and House Bill 33 and H. J. R. No. 6 have the honor to report that they have had the same under consideration and have made certain amendments to C. B. No. 13, and report the same back to the House with the recommendation that it pass as amended.

Also, report

H. J. R. No. 6 back to the House.

Also, report

H. B. No. 33 back to the House, and recommend that both pass without amendment.

H. G. NICKERSON, Chairman.

On motion of Mr. Castle the report was adopted.

The amendments to C. B. No. 13, "to establish a fence law in Albany, Carbon and Uinta counties," were adopted by the house.

H. B. No. 33, "to establish the courts of, and establish the jurisdiction of justices of the peace," was taken up, amended, and,

On motion of Mr. Kuykendall, referred to the engrossing committee, with instructions that the amendments be interlined upon the original bill.

On motion of Mr. Dayton, H. J. R. No. 6, relating to postal regulations, was

Read third time and put upon its passage:

Ayes—Messrs. Brown, Blair, Castle, Clark, Dayton, Friend, Haley, Kuykendall, Nickerson, Pease, Talbot, Willson—12.

Noes—Mr. Speaker—1.

So the joint R. and M. passed.

Council bill No. 13, "to establish a fence law," &c., was

Read a third time as amended, and put upon its passage.

Ayes—Messrs. Brown, Blair, Castle, Clark, Dayton, Friend, Kuykendall, Nickerson, Pease, Talbot, Willson—11.

Noes—Messrs. Haley Mr. Speaker—2.

So the bill passed as amended.

The following message was received from the Council :

COUNCIL CHAMBER,
December 13th, 1871. }

To the Honorable Speaker of the House:

SIR: I have the honor to inform the honorable House that the Council has agreed to appoint a committee of conference on H. B. No. 12, "concerning Albany county bonds," &c.,

And that Messrs. Downey and Corlett have been appointed such committee on the part of the council.

Very respectfully,

THOS. J. STREET,

Secretary of Council.

Mr. Kuykendall from the joint committee on conference submitted the following report :

To the Hon. President of the Council and Speaker of the House of Representatives:

Your committee of conference to whom was referred Council File No. 9, upon the refusal of the Council to concur in the amendments proposed to said bill by the House, would respectfully report that they have had the same under consideration and report the same back with the recommendation that the accompanying bill embracing such portions of the original bill and amendments thereto as in the judgment of your committee ought to be adopted be passed.

Very respectfully,

W. W. CORLETT,

W. L. KUYKENDALL,

F. H. HARRISON,

D. BLAIR.

C. F. No. 9, as reported, was read twice, and

On motion of Mr. Dayton ordered to be engrossed.

Mr. Willson asked leave of House to allow Mr. Pease and Mr. Willson to introduce bills.

Objected to.

Mr. Kuykendall, from the committee on judiciary, by consent, submitted the following report:

Mr. Speaker:

The committee on judiciary, to whom was referred House bill No. 48, for "an act to amend an act entitled an act defining crime, and providing for the punishment thereof," have had the same under consideration, and beg leave to report the same back, with amendments, and recommend its passage with said amendments.

W. L. KUYKENDALL, Chairman.

On motion of Mr. Brown H. B. No. 48 was taken up, and the amendments submitted by committee on judiciary were read.

On motion of Mr. Dayton the report was adopted.

The following message was received from the Council:

COUNCIL CHAMBER,
December 13th, 1871. }

To the Honorable Speaker of the House:

SIR: I have the honor to enclose herewith H. B. No. 28, "a bill for an act fixing the compensation of members of the Council and House of Representatives of the territory of Wyoming," &c.; has passed the Council as amended, and is transmitted for the consideration of the House.

Respectfully,

ALF. G. LEE,
Asst. Secretary Council.

On motion of Mr. Dayton H. B. No. 48 was ordered engrossed as amended.

On motion of Mr. Kuykendall the House went into committee of the whole for the consideration of H. B. No. 25, "to amend an act providing for the organization of schools," &c.

3:40 p. m., Mr. Nickerson was called to the chair.

4:55, Speaker resumed the chair, and

Mr. Nickerson, from the committee of the whole, submitted the following report:

DECEMBER, 13, 1871.

Mr. Speaker:

Your committee of the whole, to whom was referred H. B. No. 25, have the honor to report that they have had the same under consideration and have made certain amendments to the same, and report the same back to the House without recommendation.

Respectfully,

H. G. NICKERSON,
Chairman of Committee of Whole.

On motion of Mr. Nickerson the report was adopted.

The Speaker announced the signing of H. B. No. 5, "providing for volunteer militia companies," &c.

On motion of Mr. Castle the House took a recess till seven p. m.

Seven p. m. House called to order.

Speaker in the chair.

Mr. Brown moved that House bill No. 38 be read third time and put upon its passage.

Previous question demanded by Messrs. Brown, Haley and Pease.

Mr. Kuykendall moved to adjourn.

Lost.

Ayes and noes demanded by Messrs. Kuykendall, Clark and Talbot.

Ayes—Blair, Clark, Kuykendall, Talbot and Willson—5.

Noes—Messrs. Brown, Castle, Dayton, Friend, Haley, Nickerson, Pease and Mr. Speaker—8.

So the motion was lost.

Mr. Clark moved the bill be indefinitely postponed.

Lost.

Ayes and noes were called for by Messrs. Clark, Kuykendall, and Talbot.

Ayes—Messrs. Blair, Clark, Kuykendall, Talbot, Willson, and Mr. Speaker—6.

Noes—Messrs. Brown, Castle, Dayton, Friend, Haley, Nickerson, Pease—7.

So the motion was lost.

Mr. Clark moved to adjourn.

Lost.

Ayes and noes called for by Messrs. Kuykendall, Clark, and Willson.

Ayes and noes called for, pending which

Mr. Clark asked to be excused from voting.

Mr. Kuykendall moved to excuse.

House refused to excuse.

Ayes and noes demanded upon question of excusing Mr. Clark by Messrs. Kuykendall, Talbot and Blair.

Yeas—Messrs. Blair, Clark, Kuykendall, Talbot and Willson—5.

Noes—Messrs. Brown, Castle, Dayton, Friend, Haley, Nickerson, Pease, and Mr. Speaker—8.

So Mr. Clark was not excused.

Ayes and noes called on question of adjournment.

Ayes—Messrs. Blair, Clark, Kuykendall, Talbot and Willson—5.

Noes—Messrs. Brown, Castle, Dayton, Friend, Haley, Nickerson, Pease and Mr. Speaker—8.

So the motion to adjourn was lost.

Mr. Clark moved that H. B. No. 38 be laid on the table.

Lost.

Ayes and noes demanded by Messrs. Clark, Kuykendall and Talbot.

Ayes—Messrs. Blair, Clark, Kuykendall, Talbot and Willson—5.

Noes—Messrs. Brown, Castle, Dayton, Friend, Haley, Nickerson, Pease and Mr. Speaker—8.

So the motion to lay on the table was lost.

The ayes and nays were taken upon the question,

"Shall the main question be now put,"

Ayes—Messrs. Brown, Castle, Dayton, Friend, Haley, Nickerson, Pease and Mr. Speaker—8.

Noes—Messrs. Blair, Clark, Kuykendall, Talbot and Willson—5.

So the previous question was ordered.

Mr. Clark called for reading of the bill for information.

Mr. Willson presented the following protest [which was subsequently ordered expunged by drawing black lines over each line thereof.]

* * * * *

H. B. No. 38, "a bill for an act to locate and establish the seat of government of Wyoming territory at Evanston, in Uinta county," was then

Read third time and put upon its passage.

Ayes—Messrs. Brown, Castle, Clark, Dayton, Friend, Haley, Nickerson, Pease, Willson—9.

Noes—Messrs. Blair, Kuykendall, Talbot, and Mr. Speaker—4.

Messrs. Willson and Clark having changed their votes from "nay" to "yea."

The Speaker announced the passage of the bill.

Mr. Clark gave notice that he would to morrow move for a reconsideration of the vote upon H. B. No. 38.

H. B. No. 43, "an act to relocate the seat of government, was taken up, and

Mr. Brown moved that it be read third time and put upon its passage, and also moved the previous question.

Mr. Clark moved that the bill be referred to the committee on territorial affairs and internal improvements.

Lost.

The ayes and noes were demanded upon the question, "Shall the main question be now put?" by Messrs. Clark, Kuykendall, and Talbot.

Ayes—Messrs. Brown, Castle, Dayton, Friend, Haley, Nickerson, Pease and Mr. Speaker—8.

Noes—Messrs. Blair, Clark, Kuykendall, Talbot and Willson—5.

So the previous question was ordered, and

House Bill No. 43 was read third time and put upon its passage.

Ayes—Messrs. Brown, Castle, Clark, Dayton, Friend, Haley, Kuykendall, Nickerson, Pease, Willson—10.

Noes—Messrs. Blair, Talbot and Mr. Speaker—3.

The Speaker announced the passage of the bill.

Mr. Kuykendall gave notice of a motion to reconsider the final vote on H. B. No. 43.

On motion of Mr. Friend Mr. Dayton was excused for balance of the evening session.

Mr. Pease moved that Mr. Brown be permitted to introduce a joint resolution.

Carried.

Mr. Brown introduced H. J. R. No. 10, to repeal Joint Rule No. 14, which was read once.

Objection made by Mr. Clark, and withdrawn.

Mr. Brown called for question on passage.

The decision of the chair that three readings were necessary, was appealed from by Mr. Brown.

The House refused to sustain the chair, and

H. J. R. No. 10, for the repeal of joint rule No. 14, on being put to the House, was declared to have passed.

Mr. Clark gave notice of a motion to reconsider the vote on the same.

On motion of Mr. Pease Mr. Willson was excused by the House for the balance of the evening session.

Mr. Brown moved that C. F. No. 27 and C. F. No. 22 be read first and second time.

Carried.

C. F. No. 22, "relating to civil procedure," was read twice, and On motion of Mr. Brown to refer to proper committee, was by chair referred to committee on judiciary.

C. F. No. 27, "lien for miners," &c., was

Read twice, and,

On motion of Mr. Nickerson to refer to proper committee, was

By Chair referred to committee on mines, minerals and public lands.

On motion of Mr. Pease the House adjourned.

WARREN RICHARDSON,
Chief Clerk of House.

THIRTY-SECOND DAY.

HALL OF THE HOUSE OF REPRESENTATIVES, }
Thursday, December 14th, 1871. }

House called to order at ten o'clock a. m.

Speaker in chair.

Prayer by the chaplain.

Roll call—all present.

Journal of the previous day read and approved. •

The following message was received from the Council:

COUNCIL CHAMBER,
December 13th, 1871. }

To the Honorable Speaker of the House:

SIR: I have the honor to inform your honorable body that the enclosed C. J. R. and M. No. 6, to the Secretary of War, "relating the establishment of a military post on the Sweetwater river," &c.:

Also, that the enclosed

H. B. No. 27, "for an act to amend an act for the protection of game and fish," with the amendment attached;

Also, that the enclosed

C. F. No. 24, "for an act entitled an act defining crime," &c.

Also, that the enclosed

C. F. No. 35, "for an act to repeal section nine of chapter eighty of session laws of 1869."

Also, that the enclosed

C. F. No. 30, "for an act to provide a territorial library,"

Were all passed by the Council this day, and are herewith transmitted for the action of the honorable House of Representatives.

Very respectfully,

THOS. J. STREET,
Secretary of Council.

And also as follows:

That the enclosed

H. B. No. 23, "for an act to define the official year of county and precinct officers," with the amendment attached thereto, has passed the Council.

Very respectfully,

THOS. J. STREET,
Secretary of Council.

Mr. Pease presented a petition from C. W. White, and others, citizens of Evanston, praying for the location, &c., of a wagon road from Evanston to Smith's Fork.

Read and referred by chair to committee on territorial affairs and internal improvements.

Mr. Castle, of committee on counties and county boundaries, submitted the following report:

DECEMBER 13th, 1871.

Mr. Speaker:

SIR: Your committee to whom was referred House bill No. 42, "providing for a special election in Sweetwater county," have had the same under consideration, and beg leave to report the same

back to the House, and recommend its passage.

Respectfully,

C. E. CASTLE, Chairman.

On motion of Mr. Dayton report was adopted.

Mr. Clark, of committee on enrollment, reported H. B. No. 21 back as correctly enrolled.

Mr. Friend, of committee on engrossment, reported back H. bills Nos. 47 and 48, and H. J. M. and R. No. 9, as correctly engrossed.

Speaker announced the signing of H. B. No. 21.

Mr. Brown, of special committee, to whom was referred the matter of salaries illegally paid to the judges of the supreme court, with instructions to report on means for recovery of the same, reported to the House, giving notice of a resolution relating to the matter, to be introduced by the said committee.

Mr. Castle was called to the chair.

Mr. Sheeks offered the following resolution :

Resolved, "That Rule No. 45 of the standing rules of the House be and the same is hereby amended by striking out the words, except that portion of Rule 5 relating to the third reading of bills, in the sixth and seventh lines of said bill.

Which was adopted.

Speaker resumed the chair.

Mr. Pease introduced H. B. No. 49, "for an act to locate and establish a wagon road from Evanston to Smith's Fork."

Read twice.

Motion of Mr. Castle to print, was lost, and

H. B. No. 49, was

On motion of Mr. Pease, ordered engrossed.

Mr. Brown, of special committee, introduced H. J. R. No. 11, "to provide for suits against judicial officers."

Read twice, and

On motion of Mr. Dayton, ordered engrossed.

Mr. Willson moved to go into committee of whole for consideration of House bills Nos. 25, 32, 40, 28, 33.

Lost.

H. B. No. 40, "for relief of treasurer of Carbon county," was read for information, then

Read third time and put upon its passage.

Ayes—Messrs. Blair, Castle, Friend, Kuykendall, Nickerson, Pease, Talbot, Willson—8.

Noes—Messrs. Clark, Dayton, Haley, Mr. Speaker—4.

Excused, on motion of Mr. Pease—Mr. Brown.

Mr. Brown moved that Mr. Clark be excused.

Lost.

So the bill passed.

On motion of Mr. Nickerson, H. B. No. 33, "to define jurisdiction of justices of the peace, was

Read third time by title and put upon its passage.

Ayes—Messrs. Brown, Blair, Castle, Clark, Dayton, Friend, Haley, Kuykendall, Nickerson, Pease, Talbot, Willson, and Mr. Speaker—13.

So the bill passed.

H. B. No. 28, "to regulate compensation of members," received from Council with amendments, was

Read with amendments.

Amendments concurred in, and same was ordered engrossed.

H. B. No. 32, "for the relief of the sheriffs of Albany and Laramie counties," was,

On motion of Mr. Castle, read third time by title and put upon its passage :

Ayes—Messrs. Brown, Blair, Castle, Clark, Dayton, Haley, Kuykendall, Nickerson, Talbot, Willson, Mr. Speaker—11.

Noes—Mr. Friend—1.

Absent—Mr. Pease—1.

So the bill passed.

H. B. No. 47, "to amend an act to regulate divorces," &c.,

Read third time and put upon its passage,

Read third time and put upon its passage:

Ayes—Messrs. Brown, Blair, Clark, Dayton, Friend, Haley, Kuykendall, Nickerson, Talbot, Willson, Mr. Speaker—11.

Noes—Messrs. Castle, Pease—2.

So the bill passed.

H. J. R. and M. No. 9, "representing the right of the people of territories to a voice in their government," was

On motion of Mr. Friend, read by title third time, having been read for information, and put upon its passage.

Mr. Kuykendall was called to the chair.

Ayes and noes called on passage of H. J. M. No. 9.

Ayes—Messrs. Brown, Blair, Castle, Clark, Friend, Haley, Kuykendall, Nickerson, Pease, Talbot, Willson—11.

Noes—Mr. Speaker—1.

Absent—Mr. Dayton—1.

So the J. R. and M. No. 9 passed.

H. B. No. 48, "defining crime and providing for the punishment thereof," was read for information.

On motion of Mr. Brown the same was recommitted to the judiciary committee, with instructions to amend by incorporating the amendment offered by Mr. Sheeks.

House Bill No. 42, "authorizing a special election in Sweetwater county, to locate county seat," was

Read for information, and,

On motion of Mr. Nickerson, ordered engrossed.

Mr. Willson moved H. J. R. and M. No. 9 be spread on the journal.

Lost.

Speaker resumed the chair.

H. J. R. No. 12, "to the president of the U. S., relating to judges of the supreme court," was introduced by Mr. Brown, of special committee appointed to enquire into matters relating to the increased pay of said judges; was

Read twice, and,

On motion of Mr. Brown, was considered an engrossed bill, and, under suspension of rules,

On motion of Mr. Castle, was

Read third time by title, and put on its passage.

Ayes—Messrs. Brown, Blair, Castle, Clark, Dayton, Friend, Haley, Nickerson, Pease, Talbot, Willson, Mr. Speaker—12.

Noes—Mr. Kuykendall—1.

So the J. R. passed.

On motion of Mr. Kuykendall Mr. Dayton was excused from morning session.

H. B. No. 27, "an act to amend an act entitled an act for protection of game and fish," received from Council amended.

Amendments read and concurred in.

H. B. No. 23, "to amend an act defining the official year," &c., was received from Council amended.

Amendments read and concurred in.

C. F. No. 24, "defining crimes and providing for the punishment thereof," received from Council.

Read twice and referred to judiciary committee.

Mr. Castle was called to the chair.

On motion of Mr. Brown certain Council Bills on Speaker's table were taken up and read.

C. F. No. 35, "an act to repeal section nine of chapter eighty, laws of session 1869," was

Read first time,

Objected to by Mr. Castle.

Objection not sustained.

Read second time, and

On motion of Mr. Brown, rules were suspended, said bill

Read third time and put upon its passage:

Ayes—Messrs. Brown, Blair, Castle, Clark, Friend, Haley, Kuykendall, Nickerson, Pease, Talbot, and Mr. Speaker—11.

Noes—Mr. Willson—1.

Absent—Mr. Dayton—1.

So the bill passed.

Speaker resumed the chair.

C. J. R. No. 6, "relating to a military post on Sweetwater river," was

Read twice, and

On motion of Mr. Brown, rules were suspended, and said C. J. R. No. 6, was

Read third time and put upon its passage.

Ayes—Messrs. Brown, Blair, Castle, Clark, Friend, Haley, Kuykendall, Nickerson, Pease, Talbot, Willson and Mr. Speaker—12.

Absent—Mr. Dayton—1.

So the C. J. R. passed.

C. F. No. 30, "to provide for a territorial library.

Read first time.

Objected to by Mr. Castle.

Objection not sustained.

Read second time, and

On motion of Mr. Kuykendall to refer to proper committee, was by the Speaker referred to committee on territorial affairs and internal improvements.

Mr. Willson moved a recess till seven p. m.

Lost.

Mr. Brown moved a recess till three p. m.

Carried.

Three p. m. House called to order by Speaker.

Roll called—all present.

Mr. Clark, of enrollment committee, reported back House bill No. 28, correctly enrolled.

Speaker announced the signing of House bill No. 28, "an act fixing the compensation of members of the House and Council."

On motion of Mr. Kuykendall, H. B. No. 34, "an act defining jurisdiction of justices of the peace in criminal trials," &c., was

Read third time by title, under suspension of the rules, and put upon its passage.

Ayes—Messrs. Brown, Blair, Castle, Dayton, Friend, Haley, Kuykendall, Nickerson, Pease, Talbot, Willson, Mr. Speaker—12.

Absent—Mr. Clark.

So the bill passed.

The following message was received from the Council:

COUNCIL CHAMBER,
December 14th, 1871. }

Honorable Speaker of the House:

SIR: I have the honor to inform your honorable body that the enclosed

H. B. No. 39, "an act authorizing the Secretary of the Territory to purchase maps," has this day passed the Council without amendments;

Also, that the enclosed

H. B. No. 45, "for an act prohibiting the enforcement of certain contracts for labor," has this day passed the Council without amendment;

Also, that the enclosed

H. B. No. 18, "for an act to amend the election law," has this day passed the Council, with an amendment, which please find attached thereto;

Also, that the enclosed

H. J. R. No. 8, "relating to North Park," has this day passed the Council;

Also, that the enclosed

C. F. No. 8, "for an act to give to the representatives of deceased persons a right of action in certain cases,"

And,

C. F. No. 32, "for an act to develop the mining resources of the territory," &c., have both this day passed the Council and are herewith transmitted for the action of the House.

Yours respectfully,

THOS. J. STREET,

Secretary of Council.

Mr. Friend, of committee on engrossment, reported back H. B. No. 49, H. J. R. No. 10, and H. B. No. 50 (alias C. B. No. 9), as correctly engrossed.

On motion of Mr. Brown. C. F. M. No. 32, and C. B. No. 8, were taken up.

C. F. No. 32 was read first time.

The following message was received from the Council:

COUNCIL CHAMBER,
December 14th, 1871. }

To the Honorable Speaker of the House:

SIR: I have the honor to inform the honorable House that the enclosed H. B. No. 46, "for an act to amend chapter 69 of the session laws of 1869," has this day been rejected by the Council.

Also, that the enclosed

H. B. No. 37, "for an act to repeal the game law," &c., has this day been rejected.

And also that the enclosed

H. J. M. and R. No. 4, "to enlarge the jurisdiction of justices of the peace," has this day been rejected by the Council.

Also, that the Council has considered

H. B. No. 4, "for the repeal of chapter 31 of the session laws of 1869," together with the veto message of his excellency Gov. J. A. Campbell; and upon the question of the passage of the bill notwithstanding the veto of the governor, the vote was lost by a

vote of five to four, and the bill and the veto are herewith returned.

Very respectfully,

THOS. J. STREET,
Secretary of Council.

• Mr. Kuykendall was called to the chair.

The following message was received from the Council:

COUNCIL CHAMBER,
December 14th, 1871. }

To the Honorable Speaker of the House:

SIR: I have the honor to inform the honorable House that the enclosed

C. F. No. 12, "for an act to establish a board of immigration," has passed the Council, and is herewith transmitted for the action of the honorable House.

Very respectfully,

THOS. J. STREET,
Secretary of Council.

Mr. Sheeks moved to refer C. F. No. 32, "an act creating a lien for miners," &c., to committee on M. M. and public lands, with instructions to report an amendment to section one providing for the redemption of property in certain cases, and also to prohibit the sale of mining property belonging to residents in the county and mining districts in certain cases.

Motion was adopted.

Speaker resumed the chair.

C. F. No. 8, "an act to give to the representatives of deceased persons a right of action certain in cases,"

Read first time, and notwithstanding objection by Mr. Castle, was

Read second and third times by title and put upon its passage:

Ayes—Messrs. Brown, Blair, Clark, Dayton, Friend, Haley, Kuykendall, Nickerson, Pease, Talbot, Willson and Mr. Speaker—12.

Noes—Mr. Castle—1.

So the bill passed.

On motion of Mr. Friend, H. B. No. 18, "to amend the election law," with amendments of Council, was taken up, and the House refused to concur in the amendments of the Council, and chair appointed as committee of conference Messrs. Kuykendall and Castle.

Mr. Pease submitted the following report from committee on territorial affairs and internal improvements.

Mr. Speaker:

Your committee on territorial affairs and internal improve-

ments, to whom was referred the petition of Chas. W. White, L. C. Bentley, W. Crawford and others, praying for the location and establishment of a territorial wagon road from Evanston, in Uinta county, to Smith's Fork, have had the subject matter of said petition under consideration, and leave to report and recommend as follows: That a bill has been introduced in accordance with the prayer of the petitioners, and your committee would beg to report petition back to the House and recommend the passage of the bill.

Very Respectfully,

E. L. PEASE,

Chairman of Com. on Ter. Aff. and Int. Imp.

And also, from the same committee, reported

C. F. No. 30, "to provide for a territorial library," and offered certain amendments thereto.

On motion Mr. Kuykendall, rules were suspended, and H. bills Nos. 49 and 50, and H. J. R. No. 11, were ordered read third time by title.

H. B. No. 50, "to amend an act concerning county licenses," was

Read third time by title and put upon its passage.

Ayes—Messrs. Brown, Blair, Castle, Clark, Dayton, Friend, Haley, Kuykendall, Nickerson, Pease, Talbot, Willson, and Mr. Speaker—13.

So the bill passed.

H. B. No. 49, "to locate a territorial wagon road from Evanston to Smith's Fork, was

Read third time by title and put upon its passage.

Ayes—Messrs. Brown, Blair, Castle, Clark, Dayton, Friend, Haley, Kuykendall, Nickerson, Pease, Talbot, Willson, Mr. Speaker—13.

So the bill passed.

H. J. R. No. 11, "to provide for suits against judicial officers," was

Read third time and put upon its passage.

Ayes—Messrs. Brown, Blair, Castle, Clark, Dayton, Friend, Kuykendall, Pease, Talbot, Willson, and Mr. Speaker—11.

Noes—Messrs. Haley and Nickerson—2.

So the bill passed.

Mr. Nickerson, from the committee on mines, minerals, and public lands, submitted the following report:

Honorable Speaker of the House:

Your committee to whom was referred Council file No. 27, "a bill for an act to create a lien for miners and laborers in certain cases, and for other purposes," beg leave to report that they have had the same under consideration, and report the same back to

the House, with the recommendation that it pass without amendment. Respectfully,

H. G. NICKERSON, Chairman.

On motion of Mr. Pease the report was adopted.

Mr. Kuykendall, from the committee on judiciary, submitted the following report:

Mr. Speaker:

The committee on judiciary, to whom was referred Council bill No. 24, "for an act defining crimes, and providing for the punishment thereof," have had the same under consideration, and beg leave to report the same back to the House, with amendments, and recommend its passage with said amendments.

W. L. KUYKENDALL, Chairman.

On motion of Mr. Talbot the report was adopted.

Mr. Kuykendall moved to suspend the rules and take up Council files Nos. 24 and 27.

Carried.

C. F. No. 27, "relating to miners' liens," was Read a third time and put upon passage.

Ayes—Messrs. Brown, Blair, Clark, Dayton, Friend, Haley, Kuykendall, Nickerson, Pease, Talbot, Willson, and Mr. Speaker—12.

Noes—Mr. Castle—1.

So the bill passed.

C. F. No. 24, "defining crime, and providing for punishment thereof," was amended.

Mr. Dayton called to the chair.

Speaker resumed chair to receive the following message from the Council:

COUNCIL CHAMBER,
December 14th, 1871. }

To the Honorable Speaker of the House:

SIR: I have the honor to inform the House that I am directed by the Council to request the return to the Council of C. F. No. 12, "for an act to establish a board of immigration," unless the House has acted thereon, because the said bill was inadvertently forwarded to the House by the secretary of the Council pending a motion to reconsider the vote for the passage of the bill.

Very respectfully,

THOS. J. STREET,
Secretary of Council.

The Chair ordered the return of H. B. No. 12.

Upon the question of appeal from the decision of chair, by Mr. Brown, the chair was sustained.

C. F. No. 24, as amended, was

Read third time and put on its passage.

Sergeant-at-arms, on motion of Mr. Clark, was dispatched for absentees.

Ayes—Messrs. Blair, Castle, Clark, Friend, Kuykendall, Pease, Talbot, Willson and Mr. Speaker—9.

Noes—Messrs. Brown, Dayton, Haley, Nickerson—4.

So the bill passed.

On motion Mr. Castle, House took a recess till seven p. m.

House called to order at seven p. m.

Speaker in chair.

All present.

Mr. Friend, from the committee on engrossment, reported H. B. No. 42 correctly engrossed.

HOUSE OF REPRESENTATIVES,
December 14, 1871. }

Mr. Speaker :

I have the honor to report that to-day at the hour of five o'clock and twenty minutes p. m. I placed in the hands of his excellency, J. A. Campbell, Governor of the territory, House Bill No. 28, "a bill for an act fixing the compensation of members of the Council and House of Representatives of the Territory of Wyoming, and making an appropriation therefor."

Respectfully,

GIBSON CLARK,

Chairman of Committee on Enrollment.

C. F. No. 30, "to provide for a territorial library," was taken up under suspension of rules, and the amendments of the committee and additional amendments read.

Mr. Willson moved to indefinitely postpone.

Lost.

Mr. Clark moved to strike out all of the first section after the word "provided."

Lost.

The following message was received from the Governor:

WYOMING TERRITORY,
EXECUTIVE DEPARTMENT,
CHEYENNE, 14th December, 1871. }

To the Honorable the Speaker of the House of Representatives:

I have the honor to inform the House of Representatives that I have approved

"An act to authorize the formation of volunteer militia companies." Very respectfully,

J. A. CAMPBELL.

On motion of Mr. Castle C. F. No. 30 was made special order for Friday evening, at seven p. m.

Mr. Nickerson moved to make H. B. No. 42, concerning special election in Sweetwater county, special order for eleven p. m. to-morrow.

Lost.

Mr. Dayton called to the chair.

Mr. Sheeks offered sundry amendments in writing to H. B. No. 42, which were adopted.

On motion of Mr. Nickerson H. B. No. 42 was ordered engrossed as amended.

Speaker resumed the chair.

Mr. Brown moved that H. B. No. 25, "concerning the organization of school districts," be taken up and read by sections.

Carried.

The Speaker announced the signing of the following bills:

C. B. No. 35, "an act to repeal section nine of chapter eighty."

C. J. and M. No. 6, concerning the establishing of a military post at Sweetwater.

On motion of Mr. Kuykendall House reconsidered the vote upon the passage of H. B. No. 43, to repeal act locating seat of government.

On motion Mr. Brown further consideration of H. B. 43, was indefinitely postponed.

Mr. Clark moved to reconsider the vote by which H. J. R. No. 10 was passed.

Lost.

On motion Mr. Castle the House adjourned.

WARREN RICHARDSON,

Chief Clerk of House.

THIRTY-THIRD DAY.

HALL OF THE HOUSE OF REPRESENTATIVES, }
Friday, December 15th, 1871. }

House called to order at ten o'clock a. m.

Speaker in the chair.

Prayer by the chaplain.

All present at roll call.

Journal of the previous day read and approved.

The following messages were received from the Council:

COUNCIL CHAMBER, }
December 14th, 1871. }

To the Honorable the Speaker of the House:

SIR: I have the honor to inform the honorable house that the enclosed

H. B. No. 50, for "an act to amend an act entitled an act concerning county licenses," has passed the Council without amendment.

Also, that the Council has concurred in the amendments of the House to C. F. No. 21, for "an act to regulate the sale of goods, wares and merchandise by sample," &c.

Also, that the Council has concurred in the House amendments to

C. F. No. 24, for "an act to amend the crimes act," &c.

Also, that the president of the Council has appointed Messrs. Downey and Bennett as a committee of conference on behalf of the Council to consider the disagreement concerning House bill No. 18, to amend the election law.

Also, that the Council requests a committee of conference concerning disagreements respecting

C. F. No. 13, to amend the fence law of Albany, Carbon, and Uinta counties, and that Messrs. Downey and Bennett have been appointed on behalf of the Council thereon, and furnished with the papers.

Very respectfully,

THOS. J. STREET,

Secretary of Council.

The chair appointed as a committee of conference on C. F. No. 13, Messrs. Kuykendall and Talbot.

Mr. Pease presented the following petitions, viz.:

Petition from citizens of Evanston, praying for the establishment of a territorial university, which was referred to committee on education.

Also, a petition from citizens of Evanston, showing the necessity for the establishment of an insane asylum at that place, which was referred to the committee on territorial affairs and internal improvements;

Also, a petition from citizens of Evanston, praying a fence law respecting railroads, which was referred to the committee on counties.

Mr. Nickerson, from the committee on mines, &c. reported C. F. No. 32, for miner's lien, &c., back to the House, with amendments, and recommended its passage as amended.

Mr. Friend, from the committee on engrossment, reported H. B. No. 42 correctly engrossed.

Mr. Clark, from the committee on enrollment, reported H. B. No. 39, to authorize the Secretary to purchase maps, &c., as correctly enrolled.

Mr. Kuykendall, from the committee of conference on H. B. No. 18 (to amend the election law), reported upon said bill re-

commending the House to recede from its action upon said bill, and to concur in the amendments of the Council.

Mr. Pease, from the committee on conference on C. B. No. 3, submitted the following report:

To the Honorable, the Speaker of the House:

Your committee of conference on Council file No. 3 (a bill for an act to amend an act entitled an act to provide a territorial and county revenue), respectfully report that your committee have agreed with the Council committee, and recommend that the honorable House recede from its amendment in reference to the word "four" named in the second line of said House amendment, and that the word "three" be substituted therefor. Your committee further recommend that the other amendments of the honorable House to said Council file No. 3 be adopted by the honorable Council and House of Representatives.

W. R. STEELE,

S. W. DOWNEY,

Council Committee.

E. L. PEASE,

C. E. WILLSON,

House Committee.

Mr. Clark, from the committee on enrollment, reported H. B. No. 45 correctly enrolled.

Speaker announced the signing of an act authorizing the secretary of the territory to purchase maps; also for an act to prevent the enforcing of certain contracts for labor.

Mr. Kuykendall, from the committee on elections, submitted the following report:

Mr. Speaker:

Your committee on elections, to whom was referred Council Bill No. 7, for an act apportioning the territory of Wyoming into council and representative districts, and for other purposes, have had the same under consideration and beg leave to report it back to the House with the recommendation that it do pass.

W. L. KUYKENDALL, Chairman.

The following message was received from the Council:

COUNCIL CHAMBER

December 14, 1871. }

To the Honorable Speaker of the House:

SIR: I have the honor to inform the honorable House that the enclosed

C. F. No. 15, for an act defining the boundaries of Laramie county, together with the veto message of his excellency, Governor Campbell, and that the Council has considered the same and has passed

the said bill by a two-thirds majority, notwithstanding the veto of the Governor, and the bill and veto are transmitted for the action of the honorable House.

Very respectfully,

THOS. J. STREET,
Secretary of Council

On motion of Mr. Brown, C. F. No. 15, defining the boundaries of Laramie county, and the veto message of the Governor in relation to the same, was referred to a committee of the whole, and made a special order for seven p. m. this evening.

Mr. Brown, by leave of the House, introduced H. B. No. 51, to abolish distinctions in actions at law and suits in equity.

The bill was read first and second time, and,

On motion of Mr. Brown the rules were suspended and the bill read a third time by title and put upon its passage.

Ayes—Messrs. Brown, Blair, Clark, Dayton, Friend, Haley, Kuykendall, Nickerson, Talbot, Willson and Mr. Speaker—11.

Noes—Mr. Pease—1.

Absent—Mr. Castle—1.

So the bill passed.

H. B. No. 42, to provide for a special election in Sweetwater county, was,

On motion of Mr. Brown,

Read third time by title and put upon its passage:

Ayes—Messrs. Brown, Blair, Clark, Dayton, Friend, Kuykendall, Talbot, Willson—8.

Noes—Messrs. Haley, Nickerson, and Mr. Speaker—3.

Absent—Messrs. Castle and Pease—2.

So the bill passed.

On motion of Mr. Dayton the report of the committee on C. B. No. 32 was adopted.

On motion of Mr. Dayton C. F. No. 32 was

Read third time by title and put on its passage.

Ayes—Messrs. Brown, Blair, Castle, Clark, Dayton, Friend, Haley, Kuykendall, Nickerson, Pease—10.

Noes—Messrs. Willson and Mr. Speaker—2.

Absent—Mr. Talbot—1.

So the bill passed.

Mr. Pease moved that H. B. No. 25 be indefinitely postponed.
Lost.

The Speaker announced the signing of C. F. No. 21, to regulate the sale of goods, wares and merchandise.

On motion of Mr. Brown H. B. No. 25, concerning schools, was read and amended by sections.

Mr. Pease moved to refer the bill to the committee on educa-

tion, with request to report an amended bill at four p. m. to-day.
Lost.

Mr. Willson offered the following amendments :

Section 4. There shall be a board of trustees, to consist of three members, in each county, to be elected at each general election, whose duty it shall be to examine any person appointed as a county superintendent of public schools, touching his qualifications, which must be at least those of a public school teacher, the report of which examination, to be made to the authority which so appointed the said county superintendent of public schools, and if favorable, the said superintendent may qualify as by law provided, but if the report be otherwise, then another person must be elected or appointed.

Section 5. And of the trustees so provided for by this act, it shall be required that on the first Monday of May, in each year, they shall examine the scholars of the public schools in each precinct of the county, respectively, and to award premiums and rewards of merit to those scholars who, upon such examination, shall prove the more proficient in his, her, or their studies: Provided, that the cost of such premiums shall in no case exceed the sum of one hundred dollars annually, to be paid out of the school fund of each county, to be *pro rata* in each school district: and, provided further, that no trustee provided for in this act shall be entitled to or receive any compensation for his services.

The amendments were lost.

On motion of Mr. Brown H. B. No. 25 was ordered engrossed as amended.

The following message was received from the Council :

COUNCIL CHAMBER,
Cheyenne, December 15th, 1871. }

To the Honorable Speaker of the House :

SIR: I am required by the Council to enquire whether there are any papers on file in the House showing the reasons for the passage of H. B. No. 40, for "an act for the relief of the treasurer of Carbon county," and if there be such papers, to respectfully request the honorable House to transmit the same to the Council for its information.

Very respectfully,

THOS. J. STREET,
Secretary of Council.

On motion of Mr. Brown the House receded from its action as to Council amendments to H. B. No. 18, to amend the election law, &c.

On motion of Mr. Friend House concurred in Council amendments to H. B. No. 18.

On motion of Mr. Willson, the report of the special committee concerning judges of the supreme court, &c., was ordered spread upon the minutes.

Report of the special committee concerning judges of the supreme court.

To the Honorable House of Representatives:

Your special committee to whom was referred a resolution of this House, passed on the 22d ultimo, requiring your committee to examine chapter 53 of the laws of Wyoming, and other laws relating to the salary and duties of the supreme judges, and report, what in their opinion, is the proper construction to be placed upon said laws, and also to inquire whether said judges have drawn increased salary for any time when absent from the districts to which they had been severally assigned, and report the facts to this House, have had the subject matter under consideration, and respectfully submit the following report:

1st. Your committee find by an examination of the report of the territorial auditor, that warrants have been issued to Chief Justice Howe and Associate Justice Kingman for the full amount of increased salary provided by section two, of said chapter 53 of the laws of Wyoming, and warrants were also issued to Associate Justice Jones up to the time of his leaving the territory, and for thirty days thereafter; that his successor, Associate Justice Fisher, now Chief Justice of the territory, received a warrant from the territorial auditor, for the portion of the year unexpired, after entering upon his official duties.

2d. Your committee find, further, that all of the judges have been absent from their districts some portion of the year, during which increased salary has been drawn; but your committee is unable to learn whether said judges, (except Associate Justice Kingman), have been so absent from their duties continuously for more than thirty days, and drawing increased salary when so absent. Associate Justice Kingman has held court in the district assigned him by the last Legislative Assembly in all not to exceed forty-five days, and was absent from his district the balance of the year, making his residence in the county of Albany, in another judicial district.

Section 3, of chapter 53, provides that the increased salary of the judges shall be paid quarterly, after a certain period, "provided that a *pro rata* amount for an absence from their duties by any of the judges, of more than thirty days, shall be deducted from the amount of their salary, unless such absence shall be caused by sickness of such judge."

It is upon this provision of section 3 that a difference of opinion is said to have arisen as to the construction, or the intention, of the law-makers.

It has been claimed by some that an absence from a district to which a judge had been assigned, for more than thirty days, is not such an absence "from his duties" as would properly deprive him, "*pro rata*," of his increased salary.

Exigencies may arise that require the presence of a judge in another district; as, for example, when specially assigned by the governor to hold a term of court in the absence or sickness of the judge regularly assigned to such district, or in attendance upon the supreme court. Such an absence from his district would not be an absence from duty, but would be the performance of a duty clearly and plainly required by law. It is under such circumstances only that a district judge has official duties to perform outside of the district regularly assigned to him. The official duties required of the judges by law, as a rule, being confined to the district to which they have been assigned, and they having no duties to perform outside of their districts, except the duties heretofore named, specially required by law, your committee are forced to the conclusion that an absence by a judge from his district is an absence from duty, and when a judge is so absent for more than thirty days, a *pro rata* amount should be deducted from the increased salary provided him by law.

The law is so plain in its terms that your committee do not consider necessary to fortify the opinion expressed above with any lengthy argument, but lest there be some cavil as to its correctness, we would respectfully call attention to section nine of the organic act, which reads as follows: "and be it further enacted that the judicial power of said territory, shall be vested in a supreme court, district courts, * * * The said territory shall be divided into three judicial districts, and a district court shall be held in each of said districts, by one of the justices of the supreme court, * * * and said judges shall after their appointments, respectively reside in the districts which shall be assigned them."

To reside in the districts assigned them, is then a duty required of the judges by the positive command of the organic act, which they have solemnly sworn to support and sustain, and under which they have held their offices.

When we consider this part of section nine of the organic act, in connection with section three of chapter fifty three, laws of Wyoming, what construction can be placed upon the language "absence from duty," than that already stated. To reside in the district assigned them is a duty required by a law of Congress, positive in its terms. Absence from duty by a law of Wyoming, requires a *pro rata* reduction from increased salary.

Not to reside in the district assigned them, since residence is required by law, is and must be an absence from duty, and, in

the opinion of your committee, such an absence, if the non-residence is continuous, as to deprive a judge of all claim upon increased salary provided by the chapter under consideration.

In further support of your committee's opinion, we refer to vouchers of judges Howe and Kingman.

It appears that Chief Justice Howe thought it necessary to certify officially that he had not been absent from his district nor from the duties of his office for more than thirty days, clearly showing the necessity, in his opinion, of certifying that he had not been absent from his district, to entitle him to increased pay. Judge Kingman thought it necessary to certify that his bill was correct, the amount charged justly due, and that he had not been absent from duty more than thirty days. How such a certificate could be officially made by a man holding the high and honorable position of an associate justice of the supreme court, in the face of the fact that he has never had a residence in the district assigned him by the Legislative Assembly, is a question your committee leave for the consideration of the House and the public.

While your committee believe that a portion of the appropriation under chapter 53 has been improperly drawn, your committee would not attach any discredit to the territorial auditor. It was the duty of the judges to protect the auditor from, rather than to urge him to improper action; and, inasmuch as it was the duty of the judges to properly construe the law, the auditor could not well refuse to comply with their demands, especially when threatened by some of them by compulsory action.

It is the opinion of your committee that this increased salary was provided for the judges as an extra inducement to the discharge of their duties faithfully and to compensate them in some degree for the inconvenience of residing in their districts; but the law has not resulted beneficially as it was hoped it would, and has rather resulted in a display of venality and love of gain on the part of some of the judges, that is calculated to weaken our faith in human integrity.

When the sum of a thousand dollars, offered by a generous people, to a man having no claims upon their gratitude, results in exhibiting the spectacle of a man in high official position refusing the duty required, yet corruptly claiming the price offered for performance of duty, and prostituting his high position for gain, it was well, in the opinion of your committee, to blot the law, making such offers from the statute book.

In view of all the circumstances, your committee would respectfully recommend that the President of the United States be memorialized to the effect that the judges of Wyoming be com-

pelled to either reside in their districts, as required by law, or be removed from office.

Respectfully submitted,

M. C. BROWN,

Chairman Special Committee.

Mr. Friend offered the following resolution:

Be it resolved, That all members of the House who have been absent from roll call without leave be, and they are hereby, excused for such absence, the same as if leave had been granted.

Adopted.

On motion Mr. Clark the House took a recess till three p. m. House called to order at three p. m.

Speaker in the chair.

Roll call—all present.

The following messages were received from the Council:

COUNCIL CHAMBER,

December 15th, 1871. }

To the Honorable Speaker of the House:

SIR: I have the honor to inform the honorable house that the enclosed

H. B. No. 12, "for an act to legalize the acts of the board of county commissioners of Albany county," &c., together with the report of the committee of conference thereon, have been considered by the Council, and the Council has concurred in the report of the committee of conference as attached to the bill and transmitted.

Very respectfully,

THOS. J. STREET,

Secretary of Council.

COUNCIL CHAMBER }

Cheyenne, December 15, 1871. }

To the Honorable the Speaker of the House:

SIR: I have the honor to inform the honorable House that the enclosed

H. B. No. 33, concerning justices peace, jurisdiction and proceedings in criminal cases, with amendments attached.

Also, that

H. B. No. 34, concerning procedure in justices' courts in civil cases, with amendments attached, have both this day passed the Council, and are returned to the honorable House.

Very respectfully,

THOS. J. STREET,

Secretary of Council.

Mr. Pease, by consent, submitted the following report from the committee on territorial affairs and internal improvements:

HOUSE OF REPRESENTATIVES,
Cheyenne, Wyoming, December 15, 1871. }

Mr. Speaker :

Your committee on territorial affairs and internal improvements, to whom was referred the petition of W. Crawford, C. W. White *et al.*, on the subject of an insane asylum at Evanston, Uinta county, have had the same under consideration, and respectfully beg leave to report the same back to the House with the recommendation that it do lie over for future consideration.

Respectfully,

E. L. PEASE,

Chairman of Com. on Ter. Aff. and Int. Imp.

Mr. Haley from the committee on education submitted the following report :

To the House of Representatives :

Your committee to whom was referred the petition of the citizens of Evanston, praying an appropriation for the erection of a territorial university, have had the same under consideration. Your committee are of opinion that our territory is too young and poor to make appropriations for such purposes, and respectfully report the same back with a recommendation that no action be taken on the same by this House.

ORA HALEY, Chairman.

Mr. Clark, from the committee on enrollment, reported H. B. No. 50 correctly enrolled.

Speaker announced the signing of H. B. No. 50, "an act to amend an act concerning county licenses."

On motion of Mr. Brown the House receded from its former action in refusing to concur in Council amendments to H. B. No. 12,
And,

On motion of Mr. Brown, the House concurred in the amendments of the Council as recommended by the committee on conference.

Mr. Castle, from the committee on counties, submitted the following report :

HOUSE OF REPRESENTATIVES,
December 13, 1871. }

Mr. Speaker :

Your committee on counties and county boundaries, to whom a petition signed by Mr. Crawford, E. P. Brown, and others, was referred, have had the same under consideration, and beg leave to report it back to the House, with the following recommendations: "That the petition lie over for future consideration."

Very respectfully,

C. E. CASTLE, Chairman.

Mr. Clark, from the committee on enrollment, reported H. bills Nos. 23 and 27, as correctly enrolled.

The Speaker announced the signing of H. bills No. 27, to amend an act for the protection of game and fish, and

H. B. No. 23, to amend an act defining the official year.

Mr. Clark from the committee on enrollment submitted the following report:

HOUSE OF REPRESENTATIVES,
December 15th, 1871. }

Mr. Speaker:

I have the honor to report that to-day at the hour of three o'clock and twenty minutes p. m., I placed in the hands of his excellency, John A. Campbell, Governor of the territory, the following House bills: "A bill for an act to locate and establish a territorial wagon road from the town of Rawlins, Carbon county, to the Snake river gold mining district;" also, "a bill for an act entitled an act authorizing the Secretary of Wyoming Territory to purchase maps, and for other purposes," and a "bill for an act to prohibit the enforcing of certain contracts for labor."

Respectfully,

GIBSON CLARK,

Chairman of Committee on Enrollment.

On motion of Mr. Brown C. F. No. 7, apportioning the territory of Wyoming, was referred to committee of the whole House, and placed on file of general orders of the day.

On motion of Mr. Brown the House concurred in the Council amendments to H. B. No. 34, defining the jurisdiction of justices of the peace.

On motion of Mr. Brown H. B. No. 34 was referred to the enrolling committee with instructions to have the amendments interlined, and the bill considered as enrolled.

H. B. No. 33, as amended in Council, was, on motion of Mr. Dayton, concurred in, and ordered to take the same course as to enrollment as H. B. No. 34.

Mr. Castle moved that House take a recess till seven p. m.

Lost.

Mr. Talbot moved a recess till five p. m.

Lost.

The following message was received from the Council:

COUNCIL CHAMBER,
December 15th, 1871. }

To the Honorable Speaker of the House:

SIR: I have the honor to inform the honorable House that the enclosed

H. B. No. 32, (for the relief of T. Jeff. Carr and N. K. Boswell, &c.), together with the amendments attached thereto, has this day passed the Council as amended.

Very respectfully,

THOS. J. STREET,
Secretary.

On motion of Mr. Brown House took a recess till 4:30 p. m.
House called at 4:30 p. m.

Speaker in the chair.

Absent at roll call—Mr. Friend.

Speaker announced the signing of C. F. No. 27, to create a lien for miners and others.

Mr. Clark, from the committee on enrollment, submitted the following report:

HOUSE OF REPRESENTATIVES, }
December 15, 1871. }

Mr. Speaker:

I have the honor to report that to-day, at the hour of four o'clock p. m., I placed in the hands of his excellency Jno. A. Campbell, governor of the territory, for his action, the following house bills, viz:

A bill for an act to amend an act entitled an act defining the official year of county and precinct officers, and for other purposes; also, a bill for an act to amend an act entitled an act for the protection of game and fish, in the territory of Wyoming.

Respectfully,

GIBSON CLARK, Chairman.

On motion Mr. Castle, House recess till seven a. m.

Lost.

On motion Mr. Nickerson H. B. No. 16 was taken from the table.

On motion Mr. Pease H. B. No. 16 was indefinitely postponed.

Mr. Pease moved recess till seven p. m.

Lost.

Mr. Dayton moved to adjourn.

Lost.

The following messages were received from the Council:

COUNCIL CHAMBER, }
Cheyenne, December 15, 1871. }

To the Honorable Speaker of the House:

SIR: I have the honor to inform the honorable House that the enclosed

H. B. No. 31, "to provide for criminals, insane, and others," together with the amendments thereto attached, has this day passed the Council as amended.

Also, that the enclosed
H. B. No. 47, to amend the divorce law, &c., together with
the amendments thereto attached, has this day passed the Council
as amended.

Very respectfully,

THOS. J. STREET,
Secretary of Council.

COUNCIL CHAMBER,
CHEYENNE, December 15th, 1871. }

To the Honorable Speaker of the House:

SIR: I have the honor to inform the honorable House that the
enclosed

C. F. No. 3, (for an act to amend an act entitled an act to provide a territorial and county revenue), has this day been reconsidered by the Council, with the proposed amendments of the committee of conference thereon, and the amendments so attached have this day been concurred in by the Council, and the bill, with the amendments so attached, transmitted for the action of the House.

Also, that

C. F. No. 14, (for an act to amend an act to incorporate the city of Cheyenne), which is herewith enclosed, has this day passed the Council.

Very respectfully,

THOS. J. STREET,
Secretary of Council.

COUNCIL CHAMBER,
CHEYENNE, December 15, 1871. }

To the Honorable Speaker of the House:

SIR: I have the honor to inform the honorable House that the
enclosed

Joint resolution to repeal joint rule No. 14, together with the amendments thereto attached, has this day passed the Council as amended.

Also, that the enclosed

C. F. No. 34, concerning the erection of public buildings, &c., has this day passed the Council.

Very respectfully,

THOS. J. STREET,
Secretary Council.

COUNCIL CHAMBER,
CHEYENNE, December 15th, 1871.

To the Honorable the Speaker of the House:

SIR: I have the honor to inform the honorable House that the enclosed

H. B. No. 35, to amend the law regulating corporations.

Also, the enclosed

H. B. No. 49, to build a road from Evanston to Smith's Fork;

Also, the enclosed

H. B. No. 40, for the relief of the treasurer of Carbon county,

Also, the enclosed

H. J. R. and M. No. 12, "concerning judges, &c. ;

Also,

H. J. R. and M. No. 6, relating to postal regulations in Carbon county,

Have each this day passed the Council without amendment.

Very respectfully,

THOS. J. STREET,

Secretary of Council.

COUNCIL CHAMBER,

December 15, 1871.

To the Honorable Speaker of the House :

SIR: I have the honor to inform the honorable House, that the enclosed

H. J. R. and M. No. 9, to Congress, "relating to the rights of citizens of the territories," together with the amendments attached, has this day passed the Council as amended ;

Also, that the enclosed

H. J. R. No. 2, is herewith returned, together with a substitute therefor, relating to coal lands, with the information that the said substitute has this day passed the Council ;

Also, that the enclosed

C. F. No. 29, "for an act to authorize the building of a court house and jail in Laramie county and to bond the county therefor, has this day passed the Council, and is herewith transmitted for the action of the honorable House.

Very respectfully,

THOS. J. STREET,

Secretary of Council.

COUNCIL CHAMBER,

CHEYENNE, December 15, 1871.

To the Honorable Speaker of the House :

SIR: I have the honor to inform the honorable House that the enclosed

H. B. No. 6, concerning the liabilities of railroad companies,

And the enclosed

H. J. R. No. 7, relating to the compensation of members of the

Wyoming Legislative Assembly, have each been placed on their passage and rejected by the Council.

And also that the enclosed

H. B. No. 24, "to regulate the fees of officers," &c., together with the amendments attached,

And also

H. B. No. 36, (to authorize the levy of tax to pay mortgage on the steam fire engine Durant), have each passed the Council, and are herewith transmitted for the action of the honorable House.

And that the enclosed

H. J. R. No. 11, to provide for suits against judicial officers, has this day been indefinitely postponed.

Very respectfully,

THOS. J. STREET,
Secretary of Council.

COUNCIL CHAMBER,
CHEYENNE, December 15, 1871.

To the Honorable Speaker of the House:

SIR: I have the honor to inform your honorable House that the enclosed

C. F. No. 20, for an act for the regulation of towns and cities, and for other purposes, has this day passed the Council, and is transmitted for the action of the honorable House.

I am also directed by the President of the Council to request the return to the Council of H. B. No. 46, "to amend the law relating to the free passage of logs and lumber," &c., for reconsideration of the same by the Council.

Very respectfully,

THOS. J. STREET,
Secretary of the Council.

On motion of Mr. Brown a special committee of three was appointed to investigate the facts charged in the protest of Mr. C. E. Willson.

Mr. Friend was called to the chair.

On motion of Mr. Dayton the House took a recess till seven p. m.

House called at seven p. m.

Absent at roll call, Messrs. Dayton, Castle, Nickerson and Pease.

Mr. Willson moved call of the House.

Lost.

Mr. Haley moved that the sergeant-at-arms be dispatched for absentees.

Lost.

Mr. Brown's motion to appoint a committee of investigation to inquire into the allegations in the protest of Mr. Willson having prevailed,

The Speaker appointed Messrs. Brown, Clark and Castle as such committee.

The House went into committee of the whole on C. B. No. 15, defining the boundaries of Laramie county, the same being special order of the day.

8:00 p. m., Mr. Willson was called to the chair.

9:30, The Speaker resumed the chair, and

Mr. Willson, from the committee of the whole, reported C. F. No. 15 back to the House and recommended that the same do pass, the Governor's veto to the contrary notwithstanding.

On motion of Mr. Castle, C. B. No. 15, "to define the boundaries of Laramie county," was put upon its passage, the Governor's veto to the contrary notwithstanding.

Mr. Sheeks asked to be excused from voting upon the final passage of the bill.

On motion of Mr. Clark Mr. Sheeks was excused from voting.

The ayes and noes were then taken upon the question of the passage of C. B. No. 15 over the veto of the governor.

Ayes—Messrs. Blair, Castle, Clark, Friend, Kuykendall, Talbot, Willson—7.

Noes—Messrs. Brown, Dayton, and Haley—3.

Absent—Messrs. Nickerson and Pease—2.

Excused from voting—Mr. Speaker—1.

The Speaker announced the passage of the bill by a two-thirds vote.

The following is a copy of the governor's message upon the subject of the bill to define the boundaries of Laramie county:

To the Honorable the President of the Council:

I return herewith to the Council, in which it originated, a bill for "an act defining the boundaries of Laramie county."

I do not desire to take part in any controversy between different counties of the territory, and my sole reasons for returning the bill without my approval are to be found in petition from citizens of that portion of Albany county which it is proposed by the bill to attach to Laramie county, and petition from two-thirds of the members of the Council, and a majority of the members of the House of Representatives of the Legislative Assembly, asking that the bill be returned to them for reconsideration. I transmit herewith the petitions, marked A and B, to which I have referred, and which I desire to have appended to, and made a part of, this communication.

J. A. CAMPBELL,

EXECUTIVE DEPARTMENT,

CHEYENNE, WYOMING, 13th December, 1871.

To His Excellency, John A. Campbell, Governor of Wyoming Territory.

We, the undersigned citizens, of Sherman, Albany county, have learned that we have been annexed by legislative enactment to the county of Laramie. The action of the Legislative Assembly thereon, was, we firmly believe, predicated on a bogus and fraudulent petition, presented by a member of the House of Representatives from Laramie county. We humbly beg that you will kindly interpose your veto, and give us a chance of a voice in the matter. And, as in duty bound will ever pray.

SHERMAN, Albany County, W. T., Dec. 7th, 1871.

William Herrick,
A. J. Nash,
Wm. N. Gale,
L. M. Lehmer,
Wm. Morking,
Dan'l Smith,
James Tabler,
James Robertson,
James Miller,
Louis Bundscher,
T. Ring,
John Flanagan,

T. Tildler,
John Wilson,
Oscar Loptcad,
Paul Petersen,
Morris Davis,
John McHugh,
G. W. Cail,
D. McGilroy,
A. Jackson,
A. Gregory McShane,
H. S. Roe,
N. C. Roe.

To his Excellency John A. Campbell, Governor of Wyoming Territory:

Your petitioners respectfully request the return to the House in which it originated, Council File No. 15, in order that it may be considered by a full House.

Your petitioners would respectfully represent that the said bill passed the House of Representatives when the entire delegation from Albany county was absent, and in the absence of six members of the same House.

That the bill passed with the understanding by many of those who supported the measure that the citizens of Sherman and vicinity, who were affected by the bill, desired its passage, and had petitioned the Legislative Assembly thereto.

Your petitioners have since learned that the said pretended petition was a fraud, and that the citizens are opposed to such action. We therefore request the return of the bill, in order that it may be acted upon understandingly, and when all the parties affected by it may have a hearing.

T. J. Dayton,
M. C. Brown,
Ora Haley,

H. G. Nickerson,
E. L. Pease,
C. E. Castle.

Excepting the knowledge of the understanding of the members when they passed the bill, I endorse the petition, and think it no more than justice that the bill should be returned.—BEN SHEEKS.

D. Blair,
S. W. Downey,
Norman Potter,
E. W. Bennett,

J. E. Gates,
John Fosher,
F. H. Harrison.

Mr. Talbot moved to adjourn.

Lost.

Mr. Friend, from the committee on engrossment, reported H. B. No. 25 correctly engrossed.

Speaker announced the signing:

C. F. No. 13, an act amendatory to an act establishing a fence law, &c.;

C. F. No. 32, for miner's lien;

C. F. No. 8, to give representatives of deceased persons right of action in certain cases,

H. B. No. 18, to amend an act to provide for elections, &c.;

Mr. Clark, from the committee on enrollment reported H. B. No. 18 correctly enrolled.

9:40, House went into committee of the whole for the consideration of C. B. No. 30, to provide for a territorial library.

10:00, Speaker resumed the chair, and

Mr. Clark, from the committee of the whole, reported C. B. No. 30, and recommended its passage.

On motion Mr. Brown, the rules were suspended and C. F. No. 30 was read third time by title and put upon its passage:

Ayes—Messrs. Brown, Blair, Dayton, Haley, Kuykendall, Nickerson, Pease, and Willson—8.

Noes—Messrs. Clark, Friend, Talbot and Mr. Speaker—4.

Absent—Mr. Castle—1.

So the bill passed.

Mr. Pease was called to the chair.

On motion of Mr. Brown the Council bills on the Speaker's table were taken up in their order and disposed of.

H. B. No. 31, "to provide for criminals, insane, and others," was considered as amended in Council, and the House refused to concur in Council amendments.

On motion of Mr. Friend Mr. Dayton was excused from further attendance this evening.

H. B. No. 32, "an act for the relief of T. J. Carr and N. K. Boswell," was considered with amendments of Council, and,

On motion of Mr. Willson, the House concurred in the amendments of the Council.

C. F. No. 3, for an act to amend an act entitled an act to provide a territorial and county revenue, was considered as amended in Council, and

Mr. Kuykendall moved that the House concur in that part of the amendment of the committee of conference on Council bill

No. 3 in relation to the insertion of the word "three," and adhere to the former amendments of this House.

Carried.

H. B. No. 47, for an act to amend the act to regulate divorces, was considered as amended in Council, and,

On motion of Mr. Brown, House refused to concur in the amendments of the Council.

C. F. No. 20, an act for the regulation of towns and cities, was, on motion of Mr. Brown, taken up under suspension of the rules and read for information.

On motion of Mr. Clark the bill was read three times by title, and put upon its passage.

Ayes—Messrs. Brown, Blair, Clark, Haley, Nickerson, Willson—6.

Noes—Messrs. Friend, Kuykendall, Pease and Mr. Speaker—4.

Absent—Messrs. Castle, Dayton and Talbot—3.

So the bill passed.

C. F. No. 7, an act apportioning the territory of Wyoming, and the report of the committee of the whole upon the same, was taken up, and

On motion of Mr. Sheeks the report of the committee was adopted, and the amendments submitted were adopted, and

On motion of Mr. Brown, C. F. No. 7 was read third time by title and put upon its passage:

Ayes—Messrs. Brown, Clark, Friend, Haley, Nickerson, Pease, Willson and Mr. Speaker—8,

Noes—Messrs. Blair, and Kuykendall—2.

Absent—Messrs. Castle, Dayton, and Talbot—3.

So the bill passed.

Mr. Clark offered a House Joint Resolution in reference to the joint committee appointed to investigate the accounts of the territorial auditor and treasurer, which was

Read three times under suspension of the rules and put upon its passage.

Ayes—Messrs. Brown, Blair, Clark, Friend, Willson and Mr. Speaker—6.

Noes—Messrs. Haley, Kuykendall, Nickerson, and Pease—4.

Absent—Messrs. Castle, Dayton and Talbot—3

So the joint resolution passed.

On motion of Mr. Sheeks the House adjourned.

W. RICHARDSON,
Chief Clerk of House.

THIRTY-FOURTH DAY.

HALL OF THE HOUSE OF REPRESENTATIVES, }
 Saturday, December 16th, 1871. }

House called to order at ten a. m.

Speaker in the chair.

Absent at roll call, Messrs. Brown, Castle and Friend.

The journal of the previous day was read and approved.

On motion of Mr. Brown a committee of conference was appointed to consider the differences between the House and Council as to H. B. No. 47, relating to divorces.

The Chair appointed as such committee Messrs. Brown and Kuykendall.

Mr. Clark, from the committee on enrollment reported House Bills No.'s 12 and 36 as correctly enrolled, and H. B.'s No.'s 33 and 34 as correctly interlined according to the direction of the House.

The Speaker announced the signing of the following bills:

H. B. No. 12, to legalize the action of the board of county commissioners of Albany county.

H. B. No. 36, to authorize the board of trustees of city of Cheyenne to levy special tax.

H. B. No. 33, to define the jurisdiction of justices of the peace.

H. B. No. 34, to define the jurisdiction of justices of the peace in criminal cases, &c.

Mr. Kuykendall, from the committee on judiciary, submitted the following report:

The committee on judiciary, to whom was referred Council bill No. 22, for "an act to amend an act entitled an act to establish a code of civil procedure for the territory of Wyoming," have had the same under consideration, and beg leave to report the same back to the House, and recommend that it do not pass.

W. L. KUYKENDALL, Chairman.

On motion of Mr. Talbot the report was adopted.

C. F. No. 34, to provide for the erection of public buildings, and for levying taxes therefor, was

Read first time, and

Objected to by Mr. Kuykendall.

Objection sustained by the House and the bill rejected.

Mr. Clark, from the committee on enrollment, reported the following bills correctly enrolled, viz:

House bills Nos. 49, 35, and 40.

The Speaker announced the signing of the following bills, viz.:

C. F. No. 32, for a miners' lien.

H. B. 49, to locate and establish a territorial wagon road from Evanston to Smith's Fork.

H. B. No. 35, to create and regulate corporations.

A bill for the relief of the treasurer of Carbon county. Also, C. F. No. 29, for an act to authorize the building of a court house in Laramie county, and to bond the county therefor, was,

On motion of Mr. Brown, read three times by title, under suspension of the rules, and put upon its passage.

Ayes—Messrs. Brown, Blair, Clark, Dayton, Haley, Kuykendall, Nickerson, Pease, Talbot, Willson—10.

Noes—Messrs. Friend and Speaker—2.

Absent—Mr. Castle—1.

So the bill passed.

On motion Mr. Brown the House refused to concur in the Council amendments to House Joint Resolution in relation to Joint Rule No. 14, and a committee of conference upon same was requested.

The chair appointed as such committee, Messrs. Brown and Pease.

The Speaker announced the signing of H. J. R. and M. No. 9, in relation to the right of the people of the territories to representation in Congress, &c.

Mr. Haley moved that C. F. No. 22, to amend an act to establish a code of civil procedure for the territory of Wyoming, be taken up.

Lost.

On motion of Mr. Kuykendall C. F. No. 22 was laid on the table.

The following message was received from the Council:

COUNCIL CHAMBER,
Cheyenne, December 16th, 1871. }

To the Honorable Speaker of the House:

SIR: I have the honor to inform the honorable house that the Council has concurred in House amendments to C. F. No. 30, to provide for the territorial library; also,

That the Council has agreed to a conference committee respecting the J. R. of H., to repeal Joint Rule No. 14, and Messrs. Downey and Harrison have been appointed on behalf of the Council on such committee.

THOS. J. STREET,
Secretary of Council.

On motion of Mr. Pease H. B. No. 25, for an act to amend an act providing for schools and school districts, &c., was

Read third time by title and put upon its passage.

Ayes—Messrs. Brown, Blair, Dayton, Kuykendall, Nickerson, Pease, and Talbot—7.

Noes—Messrs. Friend, Haley, Willson, and Mr. Speaker—4.

Absent—Messrs. Castle and Clark—2.

So the bill passed.

Mr. Nickerson presented the following communication from Mr. Fairbanks, the sergeant-at-arms:

CHEYENNE, WYOMING,
December 16, 1871.

Gentlemen of the House of Representatives:

The present session, now drawing to a happy termination, I would fain assure you, gentlemen, of my firm belief that in your deliberations you have earned the thanks of the people of the territory, and I would indulge the hope for your future happiness and prosperity. In all my intercourse with the members of the House I must confess that our relations have been mutually of the pleasantest character, and I shall ever hold you in high esteem and grateful remembrance for your forbearance. With renewed assurance of my distinguished consideration,

I am, yours, very truly,

G. V. FAIRBANKS,
Sergeant at-Arms.

On motion of Mr. Willson the communication was ordered spread upon the journal.

Mr. Brown, from the committee of conference on the joint resolution to repeal joint rule No. 14, submitted the following report:

Your conference committee on House Joint Resolution to repeal Joint Rule 14, have had the same under consideration and respectfully recommend that the honorable Council recede from their amendment.

S. W. DOWNEY,
H. F. HARRISON,
M. C. BROWN,
E. L. PEASE.

On motion Mr. Dayton the House took a recess till two p. m. House called at two p. m.

Speaker in the chair.

Roll call—All present.

The following message was received from the Governor:

EXECUTIVE DEPARTMENT,
CHEYENNE, 16th December, 1871.

To the Honorable, the Speaker of the House of Representatives:

I have the honor to inform the House of Representatives that I have approved

“An act to establish the courts of and define the jurisdiction of justices of the peace.”

“An act defining the jurisdiction of justices of the peace in criminal trials, and of the proceedings therein;”

"An act to amend an act entitled an act for the protection of game and fish in the territory of Wyoming;"

"An act authorizing the Secretary of Wyoming territory to purchase maps, and for other purposes;"

"An act to locate and establish a territorial wagon road from the town of Rawlins, in Carbon county, to the Snake river gold mining district;"

"An act to prohibit the enforcing of certain contracts for labor;"

"An act to authorize the board of county commissioners of the county of Albany to issue bonds for the indebtedness incurred by said board in the erection of a court house;"

"An act to amend an act entitled an act to create and regulate corporations;"

"An act to authorize the board of trustees of the city of Cheyenne to levy and collect a special tax to pay off the mortgage on the steam fire engine "T. C. Durant;"

"An act to locate and establish a territorial wagon road from Evanston, Uinta county, to Smith's Fork," and

"An act for the relief of the treasurer of Carbon county."

Very respectfully,

J. A. CAMPBELL.

Mr. Clark, from the committee on enrollment, reported House bill No. 32 as correctly enrolled.

The Speaker announced the signing of H. B. No. 32, "an act for the relief of T. J. Carr and N. K. Boswell."

Mr. Pease offered the following resolution:

Mr. Friend was called to the chair.

Whereas the honorable speaker of the House of Representatives of the second session of the Legislative Assembly of this territory has, by the fearless and impartial manner in which he has discharged the onerous duties of speaker, deserved praise; therefore, be it

Resolved, By the House of Representatives, that the thanks of this House are due, and are hereby, tendered the Hon. Ben Sheeks, speaker, for the prompt and able manner in which he has presided over the deliberations of this body, and that we shall ever remember him with feelings, as we cherish towards him, of kindness.

Adopted unanimously, and,

On motion of Mr. Dayton, ordered spread upon the journal.

Mr. Willson offered the following resolution:

Resolved, That the House does appreciate the valuable services of Warren Richardson, Esq., chief clerk, and his affable and agreeable assistant, H. H. Richards, Esq., and that the thanks of the members of the House of Representative are due these gen-

tlemen for the untiring energy displayed by them, in the performance of their duties.

On motion Mr. Kuykendall the resolution was adopted unanimously, and

On motion Mr. Haley, ordered spread upon the journal.

On motion Mr. Dayton the House took a recess for thirty minutes.

Speaker announced the signing of C. B. No. 30, to provide for a territorial library, and

C. B. No. 14, to amend an act to incorporate the city of Cheyenne.

On motion Mr. Friend the House took a recess of twenty minutes.

The following message was received from the Governor :

To the Honorable, the Speaker of the House of Representatives :

I have the honor to inform the House of Representatives that I have approved

“An act for the relief of T. J. Carr, sheriff of Laramie county, and N. K. Boswell, sheriff of Albany county, in Wyoming territory.”

Very respectfully,

J. A. CAMPBELL.

Mr. Castle, from special committee, submitted the following report:

HOUSE OF REPRESENTATIVES,
Cheyenne, Wyoming, December 16, 1871. }

Mr. Speaker :

Your committee to whom was referred the protest of C. E. Willson on House bill No. 38, have the honor to report that they have had the subject matter referred to them under consideration, and beg to report that a misapprehension in the premises existed, in support of which the enclosed letter from Mr. C. E. Willson is submitted.

Respectfully,

C. E. CASTLE,
Chairman Committee.

On motion Mr. Kuykendall the report was accepted, and the committee was discharged.

Mr. Clark moved that the protest of Mr. Willson be expunged from the journal of the House by drawing black lines through the same.

Carried.

The Speaker announced the signing of C. B. No. 30, to provide for a territorial library,

And

C. B. No. 14, to amend the act of incorporation of the city of Cheyenne.

On motion of Mr. Friend the House took a recess of twenty minutes.

The following message was received from the Council:

COUNCIL CHAMBER,
Cheyenne, December 16th, 1871. }

To the Honorable Speaker of the House:

SIR: I have the honor to inform the honorable House that the Council has this day adopted the report of the committee of conference on H. J. R. No. 14, respecting the repealing of Joint Rule No. 14, and that the said joint resolution is herewith transmitted.

Very respectfully,

THOS. J. STREET,
Secretary of Council.

Mr. Clark introduced H. J. R. No. 14, appropriating \$5,000 for the transportation and subsistence of convicts.

On motion Mr. Castle the same was read three times by title and put upon its passage:

Ayes—Messrs. Blair, Castle, Clark, Friend, Kuykendall, Talbot, Willson and Mr. Speaker—8.

Noes—Messrs. Nickerson, and Pease—2.

Absent—Messrs. Brown, Dayton and Haley—3.

So the joint resolution passed.

The following message was received from the Council:

COUNCIL CHAMBER,
Cheyenne, December 16, 1871. }

To the Honorable Speaker of the House:

SIR: I have the honor to inform the honorable House that the enclosed

C. F. No. 36, to amend the revenue law, &c., has this day passed the Council, and is transmitted for the action of the honorable House.

Very respectfully,

THOS. J. STREET,
Secretary of the Council.

On motion Mr. Castle the rules were suspended and C. F. No. 36, "a bill for an act to amend an act entitled an act to provide a territorial and county revenue," &c., was

Read first, second and third times by title and put upon its passage:

Ayes—Messrs. Blair, Clark, Friend, Haley, Kuykendall, Nickerson, Pease, Talbot, and Mr. Speaker—9.

Noes—Mr. Willson—1.

Absent—Messrs. Brown, Castle, and Dayton—3.

So the bill passed.

On motion of Mr. Friend the House took a recess of twenty minutes.

The sergeant-at-arms was dispatched for absentees upon the calling of the House.

On motion of Mr. Castle further proceedings under call of the House were dispensed with.

The Speaker announced the signing of C. F. No. 36, (to amend the revenue law.)

On motion of Mr. Castle, House took a recess of twenty minutes. House called.

Sergeant-at-arms dispatched for absentees.

On motion of Mr. Castle all further proceedings under the call of the House were dispensed with.

Mr. Pease moved that the absentees be called to the speaker's stand and publicly reprimanded.

Carried.

The roll was called and no absentees noted.

On motion Mr. Willson, House took a recess till half past five o'clock.

After twenty minutes, House called to order, five members absent.

On motion Mr. Talbot the sergeant-at-arms was dispatched for absentees.

Mr. Kuykendall moved that all further proceedings under call of the House be dispensed with.

Carried.

On motion of Mr. Friend the House took a recess till 7 p. m. House called to order at 7 p. m.

The roll was called and the sergeant-at-arms dispatched for the absentees.

Mr. Brown moved a recess till 7:45 p. m.

Lost.

The following message was received from the governor :

WYOMING TERRITORY,
EXECUTIVE DEPARTMENT,
CHEYENNE, 16th December, 1871. }

To the Honorable Speaker of the House of Representatives:

I have the honor to inform the honorable House of Representatives that I have approved.

"An act to amend an act entitled an act concerning county licenses.

Very respectfully,

J. A. CAMPBELL.

Mr. Dayton moved a recess.

Lost.

Mr. Castle moved a recess till 7:30 p. m.

Carried.

House called to order at 7:30 p. m.

Roll called—six absent.

Mr. Castle moved that the sergeant-at-arms be dispatched for the absentees.

Carried.

Mr. Friend was called to the chair.

Mr. Castle moved to suspend rule 48, and to allow smoking during the session.

Lost.

Ayes and noes called for by Messrs. Castle, Pease, and Haley.

Ayes—9. Noes—3. Absent—1.

So the motion to suspend rule 48 prevailed.

The speaker resumed the chair.

The following message was received from the Council:

COUNCIL CHAMBER,
CHEYENNE, December 16th, 1871. }

To the Honorable Speaker of the House:

SIR: I have the honor to inform your honorable body that Messrs. Downey and Corlett have been appointed a conference committee on the part of the Council respecting H. B. No. 47, concerning divorce law.

Yours respectfully,

THOS. J. STREET,

Secretary.

On motion Mr. Dayton the House took recess till half past eight.

House called to order at half past eight.

Roll called and sergeant-at-arms dispatched for the absentees.

Mr. Brown, from the conference committee on H. B. No. 47, relating to divorces, reported a substitute for said bill and recommended its passage.

On motion Mr. Friend the report was adopted.

On motion Mr. Brown the rules were suspended and H. B. No. 47 was read three times by title and put upon its passage:

Ayes—Messrs. Brown, Blair, Clark, Friend, Haley, Kuykendall, Nickerson and Mr. Speaker—8.

Absent—Messrs. Castle, Dayton, Talbot and Willson—4.

Excused from voting—Mr. Pease—1.

So the bill passed.

Mr. Haley introduced H. B. No. 52, to amend the estray law.

The bill was read for information, and on motion of Mr. Haley,

Read three times under suspension of the rules and put upon its passage.

Ayes—Messrs. Brown, Blair, Clark, Friend, Haley, Kuykendall, Nickerson, and Mr. Speaker—8.

Absent—Messrs. Castle, Dayton, Pease, Talbot, and Willson—5.

So the bill passed.

On motion Mr. Brown the House took a recess till nine p. m.
House called to order at nine p. m.

Roll called.

Absent—four members.

On motion of Mr. Dayton the sergeant-at-arms was dispatched for absentees.

Mr. Friend, by leave of the House, introduced H. B. No. 53, to regulate the fees of certain officers.

On motion of Mr. Dayton the rules were suspended and the bill read first time.

Mr. Willson objected.

Objection overruled by the House, and

The bill read second and third time and put upon its passage.

Ayes—Messrs. Blair, Castle, Dayton, Friend, Kuykendall, Pease, and Mr. Speaker—7.

Noes—Messrs. Brown, Clark, Haley, Nickerson, and Willson—5.

Absent—Mr. Talbot.

So the bill passed.

Mr. Castle moved a recess.

Lost.

Mr. Nickerson moved to close the doors and allow no one to leave without consent of the speaker.

Carried.

Mr. Pease was called to the chair.

Speaker resumed the chair.

Mr. Dayton moved a recess till 9:30 p. m.

Lost.

Mr. Castle moved a recess till 9:40 p. m.

Lost.

Mr. Dayton moved a recess till ten p. m.

Lost.

Mr. Brown moved a recess till ten p. m.

Carried.

House called to order at ten p. m., Speaker in the chair.

Sergeant-at-arms dispatched for absentees.

Mr. Brown moved that a committee of two be appointed to confer with a like committee from the Council to agree upon an hour for adjournment, and that the committee of the House be authorized to suggest the hour of twelve p. m., as the time for the adjournment of both houses, *sine die*.

Carried.

The Speaker appointed Messrs. Brown and Pease as such committee.

On motion Mr. Dayton the House took a recess till 10:30 p. m. House called to order at 10:30 p. m. Speaker in the chair. Four members absent.

Mr. Clark from the committee on enrollment reported that at quarter past ten he delivered to the Honorable Secretary of the territory the following joint resolutions :

H. J. R. and M. No. 9, representing the right of the people of the territories to a voice in their government and taxation.

H. J. R. and M. No. 12, to the President of the United States, relating to judges of the supreme court.

H. J. R. and M. No. 6, in regard to postal regulations.

H. J. R. and M. No. 8, to the Hon. W. W. Belknap, secretary of war, relating to the North Park.

Mr. Pease introduced H. B. No. 54, in relation to logs and lumber.

On motion of Mr. Nickerson the rules were suspended and the bill read three times by title, and put upon its passage.

Ayes—Messrs. Brown, Blair, Castle, Clark, Dayton, Friend, Kuykendall, Nickerson, Pease, Willson, and Mr. Speaker—11.

Absent—Messrs. Haley and Talbot—2.

So the bill passed.

The following message was received from the Council:

COUNCIL CHAMBER,
CHEYENNE, December 16, 1871. }

To the Honorable the Speaker of the House:

SIR: I have the honor to inform the honorable House, that the enclosed

H. J. R. No. 14, appropriating \$5,000 to pay for transportation and subsistence of territorial convicts, has this day been rejected by the Council.

Very respectfully,

THOS. J. STREET,
Secretary of the Council.

The following report of Mr. Clark, chairman of the committee on enrollment, was presented:

HOUSE OF REPRESENTATIVES,
December 16, 1871. }

Mr. Speaker:

I have the honor to report that at the hour of eleven o'clock and twenty minutes a. m., I have delivered to Governor Campbell for his action the following house bills:

(1), A bill for the relief of the treasurer of Carbon county; (2), a bill for the location of a territorial wagon road from Evanston,

Winta county, to Smith's Fork; also, "a bill to amend an act entitled an act to create and regulate corporations; (4), a bill for an act entitled an act to amend an act to provide for elections and for other purposes; (5), a bill for an act to authorize the city trustees of Cheyenne to levy a tax to pay off the the mortgage on the steam fire engine "T. C. Durant;" (6), a bill for an act to authorize the county commissioners of Albany county to issue bonds for the payment of court house; (7), also, house bills Nos. 33 and 34.

Respectfully,

GIBSON CLARK,
Chairman Committee on Enrollment.

The journal of to-day, up to the hour of 10:30 p. m., was read. On motion of Mr. Blair, House took a recess till 11:30 p. m. House called at 11:30.

Absent—six members.

On motion of Mr. Pease the House took a recess until ten minutes before twelve o'clock.

At eleven o'clock and fifty minutes the House was called.

Speaker in the chair.

Absent—four members.

Mr. Dayton moved that House take a recess of ten minutes.

Lost,

The following message was received from the Council:

COUNCIL CHAMBER,
CHEYENNE, December 16th, 1871.

To the Honorable Speaker of the House:

SIR: I have the honor to transmit herewith C. F. No. 31, "an act making an appropriation for the transportation and subsistence of convicts," &c., which has passed the Council and is respectfully submitted for the action of the House.

Respectfully,

THOS. J. STREET,
Secretary of Council.

COUNCIL CHAMBER,
CHEYENNE, December 16, 1871.

To the Honorable Speaker of the House:

SIR: I have the honor to inform your honorable body that the enclosed H. B. No. 54, has passed the Council and is respectfully submitted

Respectfully,

THOS. J. STREET,
Secretary.

Mr. Brown moved to take up and act upon C. B. No. 31, making sundry appropriations.

Carried.

Mr. Brown moved that the rules be suspended and the bill read the first and second times.

Carried.

Read first time.

Mr. Castle objected to the bill.

Mr. Clark was called to the chair.

The following message was received from the Council:

To the Honorable Speaker of the House:

COUNCIL CHAMBER
Cheyenne, December 16, 1871. }

SIR: I have the honor to inform the honorable House that the enclosed substitute for H. B. No. 47, to amend the divorce law, has this day passed the Council.

Very respectfully,

THOS. J. STREET,
Secretary Council

The objection of Mr. Castle to C. F. No. 31, was not sustained, and upon the question of rejection the House refused to reject the bill.

Mr. Brown moved to strike out that portion of the bill relating to the contingent fund of the Governor.

Mr. Sheeks offered the following amendment to the amendment: That all that portion of the bill be stricken out except that portion relating to the transportation and subsistence of convicts, and the appropriation in favor of Albany county.

Chair announced the amendment to the amendment lost.

The ayes and noes being demanded, resulted as follows:

Ayes—Messrs. Blair, Castle, Clark, Kuykendall, and Mr. Speaker—5.

Noes—Messrs. Brown, Dayton, Friend and Nickerson—4.

Absent—Messrs. Haley, Pease, Talbot, and Willson—4.

So the amendment to the amendment was adopted.

Mr. Sheeks offered the following amendment:

That there shall be appropriated to the territorial auditor and treasurer \$300 each per annum in full for their services as such auditor and treasurer; *Provided*, That the treasurer shall not receive any percentage from any moneys paid in or paid out of the territorial treasury. All acts and parts of acts conflicting with this act be and the same are hereby repealed.

The above amendment was adopted.

The ayes and noes were demanded by Messrs. Brown, Dayton and Friend.

Ayes—Messrs. Blair, Castle, Clark, Kuykendall, Pease and Mr. Speaker—6.

Noes—Messrs. Brown, Dayton, Friend, and Nickerson—4.

Absent—Messrs. Haley, Talbot and Willson—3.

So the amendment was adopted.

Mr. Sheeks moved that the rules be suspended and that the bill be

Read third time by title and put upon its passage as amended.
Carried.

Ayes and noes were called for by Messrs. Brown, Dayton and Nickerson.

Mr. Sheeks arose to a question of privilege and called Mr. Brown to order for indecorous and unparliamentary language.

Chair decided Mr. Brown out of order, and that the question and point of order of Mr. Sheeks were well taken.

Mr. Brown appealed from the decision of the chair.

The chair was sustained by the House.

The following message was received from the Council:

COUNCIL CHAMBER,
Cheyenne, December 16th, 1871. }

To the Honorable Speaker of the House:

SIR: I have the honor to inform the honorable House that the Council has, within the past half hour, adjourned *sine die*.

Very respectfully,

THOS. J. STREET,
Secretary of Council.

The following message was received from the governor:

WYOMING TERRITORY,
EXECUTIVE DEPARTMENT,
CHEYENNE, 16th December, 1871. }

To the Honorable, the Speaker of the House of Representatives:

I have the honor to inform the House of Representatives that I have approved "an act fixing the compensation of members of the Council and House of Representatives of the territory of Wyoming, and making an appropriation for that purpose."

Very respectfully,

J. A. CAMPBELL.

The journal of to-day was read and approved.

Mr. Pease moved that the House do now adjourn *sine die*.

Carried.

[Signed]

BEN SHEEKS,

Speaker of the House of Representatives of the Second Legislative Assembly of the Territory of Wyoming.

Attest:

WARREN RICHARDSON,
Chief Clerk of the House.