

Records of the Constitutional Convention

1884

Inventory.

<u>Box/Folder</u>	<u>Description</u>
	Organizational Documents.
1 - 1	Members' joint oath of office, January 14, 1884.
2	Individual oaths of office: [Jo] ¹ e A. Browne, January 16, 1884 Eddy F. Ferris, January 18, 1884 Francis W. H. Medhurst, January 21, 1884 Charles W. Savage, January 23, 1884
3	Payrolls: Convention members. Convention officers and employees.
4	Miscellany: Convention "Order of Business" guide. Convention "Standing Committee" list. Minutes.
	Minutes book: Minutes of daily session transcribed from original notes of Secretary Paul L. Van Cleave, January 14, 1884 – February 9, 1884, 175 pages.
	Minutes of daily sessions: Original notes taken during daily sessions by Secretary Paul L. Van Cleave January 14, 1884 – February 9, 1884. Contains incoming correspondence, original motions and resolutions, amendments and committee reports.
5	1 st day, January 14, 1884.
6	2 nd day, January 15, 1884.
7	3 rd day, January 16, 1884.
8	4 th day, January 17, 1884.
9	5 th day, January 18, 1884.
10	6 th day, January 19, 1884.

¹ Ive A. Brown in original

<u>Box/Folder</u>	<u>Description</u>
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Minutes of daily sessions, continued:

- | | | |
|-----|----|---|
| 1 – | 11 | 8 th day, January 21, 1884. |
| | 12 | 9 th day, January 22, 1884. |
| | 13 | 10 th day, January 23, 1884. |
| | 14 | 11 th day, January 24, 1884. |
| | 15 | 12 th day, January 25, 1884. |
| | 16 | 13 th day, January 26, 1884. |
| | 17 | 15 th day, January 28, 1884. |
| | 18 | 16 th day, January 29, 1884. |
| | 19 | 17 th day, January 30, 1884. |
| | 20 | 18 th day, January 31, 1884. |
| | 21 | 19 th day, February 1, 1884. |
| | 22 | 20 th day, February 2, 1884. |
| | 23 | 22 nd day, February 4, 1884. |
| | 24 | 23 rd day, February 5, 1884. |
| | 25 | 24 th day, February 6, 1884. |
| | 26 | 25 th day, February 7, 1884. |
| | 27 | 26 th day, February 8, 1884. |
| | 28 | 27 th day, February 9, 1884. |

Petitions:

- | | | |
|-----|----|-----------------------------------|
| 2 – | 29 | Petitions from citizens. 6 items. |
|-----|----|-----------------------------------|

Committee Reports:

- | | |
|----|---|
| 30 | Reports of standing and special committees. 6 items |
|----|---|

Motions, amendments and resolutions:

- | | |
|----|---|
| 31 | Motions, amendments and resolutions. 7 items. |
|----|---|

Proceedings.

Proceeding of daily sessions:

Manuscript proceedings of daily sessions as transcribed from the shorthand notes of stenographers W.I. Lippincott and John W. Imes, January 14, 1884 – February 9, 1884.

- | | |
|----|--|
| 32 | 1 st day, January 14, 1884. |
| 33 | 2 nd day, January 15, 1884. |
| 34 | 3 rd day, January 16, 1884. |
| 35 | 4 th day, January 17, 1884. |
| 36 | 5 th day, January 18, 1884. |

<u>Box/Folder</u>	<u>Description</u>
	<u>Proceedings of daily sessions</u> , continued.
2 – 37	6 th day, January 19, 1884.
38	8 th day, January 21, 1884.
39	9 th day, January 22, 1884.
40	10 th day, January 23, 1884.
41	11 th day, January 24, 1884.
42	12 th day, January 25, 1884.
43	13 th day, January 26, 1884.
44	15 th day, January 28, 1884.
45	16 th day, January 29, 1884.
46	16 th day, continued.
47	17 th day, January 30, 1884.
48	18 th day, January 31, 1884.
49	19 th day, February 1, 1884.
50	20 th day, February 2, 1884.
51	22 nd day, February 4, 1884.
52	23 rd day, February 5, 1884.
53	24 th day, February 6, 1884.
54	25 th day, February 7, 1884.
55	26 th day, February 8, 1884.
56	27 th day, February 9, 1884.
	<u>Certificate:</u>
57	Official Stenographer, William I. Lippincott's certificate of accuracy of transcribed proceedings, May 19, 1884.
	<u>Speech:</u>
58	Extract from proceedings of 23 rd day of speech of Joseph K. Toole re. taxation of mines. 2 pages, mns.

Territory of Montana
County of Lewis and Clark

I do solemnly swear that I will support, protect and defend the Constitution of the United States and the Organic Act of the Territory of Montana and that I will discharge the duties of my office with fidelity; that I have not paid or contributed or promised to pay either directly or indirectly any money or valuable thing to procure my nomination or election, except for necessary and proper expenses expressly allowed by law; that I have not knowingly violated any election law of this Territory, or procured it to be done by others in my behalf, that I will not knowingly receive directly or indirectly any money or other valuable thing for the performance or nonperformance of any act or duty pertaining to my office other than the compensa-

-sation allowed by law.

Sworn before me and subscribed in my presence this 14th day of January one thousand eight hundred and eighty four

Robt B Smith	Beaverhead
Timothy Collins	
William H Hunt	Choteau
Wm Van Gasken	
S R Douglas	Custer
J F Maloney	Dawson
E B Waterbury	Deer Lodge
J Abascal	" "
R P Vivion	Gallatin
G O Eaton	" "
F D Pease	" "
S W Langhorne	" "
E McSorley	Jefferson
Nathanial Merriman	" "
Matthew Carroll	Lewis and Clark
J K Toole	" "
Cornelius Hedges	" "
H S Howell	Madison Co
James E. Callaway	" "
John B Caitlin	Missoula

R. A. Eddy	
W J McCormick	
W J Stephens	
James Fergus	Meagher
J.F. McClintock	
Thornton	
William A Clark	

R P Vivion	Gallatin
G O Eaton	" "
F D Pease	" "
S W Langhorn	" "
E McSorley	Jefferson
Nathanial Merriman	" "
Matthew Carroll	Lewis and Clark
J K Toole	" "
Cornelius Hedges	" "
H S Howell	Madison Co
James E. Callaway	" "
John B Caitlin	Missoula

R. A. Eddy	
W J McCormick	
W J Stephens	
James Fergus	Meagher
J.F. McClintock	
Thornton	
William A Clark	
W. Y. Pemberton	
Marcus Daly	
F. M Proctor	
F.L. Greene	
Walter Cooper	
<u>Andrew F. Burleigh</u>	
W.W. Dixon	
James H. Mills	
T C Power	
W B Hundley	

Sworn before me and subscribed in my presence this 14th day of January AD 1884

Decius Wade
Chief Justice of
Montana

Montana Constitutional Convention 1884

Individual Oaths of Office. 4 items.

Folder 2

Territory of Montana
Lewis and Clark County

I do solemnly swear that I will support, protect and defend the Constitution of the United States and the Organic Act of the Territory of Montana and that I will discharge the duties of my office with fidelity; that I have not paid or contributed or promised to pay either directly or indirectly any money or valuable thing to procure my nomination or election, except for necessary and proper expenses expressly allowed by law; that I have not knowingly violated any election law of this Territory, or procured it to be done by others in my behalf, that I will not knowingly receive directly or indirectly any money or other valuable thing for the performance or nonperformance of any act or duty pertaining to my office other than the compen-

[...]sation allowed by law.

Joe A. Browne

Sworn to before me and subscribed to in my presence this 16th day of January AD 1884.

W A. Clark

President

Territory of Montana
Lewis and Clark County

I do solemnly swear that I will support, protect and defend the Constitution of the United States and the Organic Act of the Territory of Montana and that I will discharge the duties of my office with fidelity; that I have not paid or contributed or promised to pay either directly or indirectly any money or valuable thing to procure my nomination or election, except for necessary and proper expenses expressly allowed by law; that I have not knowingly violated any election law of this Territory, or procured it to be done by others in my behalf, that I will not knowingly receive directly or indirectly any money or other valuable thing for the performance or nonperformance of any act or duty pertaining to my office other than the com-

[]pensation allowed by law
Eddy F. Ferris

Sworn to before me and subscribed in my presence this 18th day of January 1884.
W A. Clark
President

Territory of Montana
County of Lewis & Clark S.S.

I do solemnly swear that I will support, protect and defend the Constitution of the United States and the Organic Act of the Territory of Montana and that I will discharge the duties of my office with fidelity; that I have not paid or contributed or promised to pay either directly or indirectly any money or valuable thing to procure my nomination or election, except for necessary and proper expenses expressly allowed by law; that I have not knowingly violated any election law of this Territory, or procured it to be done by others in my behalf, that I will not knowingly receive directly or indirectly any money or other valuable thing for the performance or nonperformance of any act or duty pertaining to my office other than the compensation allowed

by law

Francis William Hastings Medhurst

Sworn to before me and subscribed in my presence this 21st day of January 1884.

William A. Clark

President

Territory of Montana
County of Lewis and Clark S.S.

I do solemnly swear that I will support, protect and defend the Constitution of the United States and the Organic Act of the Territory of Montana and that I will discharge the duties of my office with fidelity; that I have not paid or contributed or promised to pay either directly or indirectly any money or valuable thing to procure my nomination or election, except for necessary and proper expenses expressly allowed by law; that I have not knowingly violated any election law of this Territory, or procured it to be done by others in my behalf, that I will not knowingly receive directly or indirectly any money or other valuable thing for the performance or nonperformance of any act or duty pertaining to my office,

other than the compensation allowed by law.

Charles W. Savage

Sworn to before me and subscribed in my presence this 23 day of January 1884.

William A Clark

President

Constitutional Convention,
Pay Roll,
Members.

Langthorne SW	27									
Medhurst FWH	20									
McCormick WJ	27									
McSorley E	27									
Merriman N	27									
Mills Jas. H	27									
Maloney JF	11									
McClintock JF	27									
Napton Thos. L	17									
Pease FD	24									
Pemberton WY	27									
Proctor FM	27									
Power TC	27									
Robinson JC	00									
Smith Robt. B	27									
Savage CW	18									
Steele Gen.	1									
Stephens WJ	27									
Toole Jos. K	27									
Thornton JCC	00									
Vivion RP	27									
Van Gasken Win.	27									
Waterbury EB	27									

We hereby certify that the Persons named on the within Roll did actually attend and serve as members of the Constitutional Convention held in and for the Territory of Montana, begun at Helena, January 14th, 1884, and ending February 9th, 1884, the number of days and traveled the number of miles set opposite their names respectively

Attest

Paul L. Van Cleave
Secretary

William A. Clark
President of the Constitutional Convention

Constitutional Convention
Pay Roll
Officers and Employees

We, the undersigned, officers and attachès of the Constitutional Convention of the Territory of Montana, do hereby acknowledge that we here received from Joseph P. Woolman, Territorial Auditor, the amounts set opposite our names respectively for per diem at the sessions of said Constitutional Convention, begun at Helena January 14th 1884, and ending February 9th, 1884.

Names	Office	Attendance		Amt. Due		Amt. Received		Date of Payment	Signatures
		Days	Per diem	Dollars	Cents	Dollars	Cents		
Wells James B.	Secretary pro tem.	2	\$10	\$20	00	20	00		
Van Cleve Paul L.	Secretary	25	10	\$250	00	250	00		
Wells James B.	Asst. Secretary	25	8	200	00	200	00		
Lippincott W.I.	Stenographer	27 ² 27	20 10	540 270	00 ³ 00	540 270	00 00		
Imes John W.	do. ⁴				00		00		
Walker Jas. B.	Clerk	26	5	130	00	130	00		
Wheeler W.F.	do.	26	5	130	00	130	00		
Armstrong Wm.R.	do.	26	5	130	00	130	00		
Alexander Sam.	Sergeant at Arms	29	6	174	00	174	00		
Gibson W.P.	Asst. do.	3	5	15	00	15	00		
Sloan Wm.	do.	20	5	100	00	100	00		
Porter John	Fireman pro tem.	2	4	8	00	8	00		
Diller B.	Fireman	26	4	104	00	104	00		
Rowe Stonewall	Page	27	4	108	00	108	00		
Shannon Jas.	Page	26	4	104	00	104	00		

2283 00

We hereby certify that the persons named on the above Roll, were actually elected and served as officers and attachès of the Constitutional Convention of the Territory of Montana, begun at Helena January 14th 1884, and ending February 9th 1884, the number of days set opposite their names respectively.

Attest

Paul L. Van Cleave
Secretary

William A. Clark
President Constitutional Convention

² There are two separate entries in Mr. Lippincott's row in the original.

³ Small handwritten note between Amt. Due and Amt. Received, "\$270.00 to be paid on order of W.A. Clark. Ch.Comm as per Resolution February 9th."

⁴ Shorthand for "ditto."

Constitutional Convention
Order of Business

- 1.-- Roll Call.
- 2.-- Reading and approval of journal.
- 3.-- Reading and presentation of petitions and memorials, under which head shall include remonstrances, communications from individuals and public officers .
- 4.-- Communications for territorial officers, under which head shall be embraced also communications from public officers and corporations in response to calls for information.
- 5.-- Reports of Standing Committees, in the order in which they stand in the rules.
- 6.-- Reports of Select Committees.
- 7.-- Roll Call Introductions of resolutions and propositions relating to the Constitution.
- 8.-- Unfinished Business.
- 9.-- Special Orders.
- 10.-- General Orders.
- 11.-- Miscellaneous motions and resolutions.

Montana Constitutional Convention

Standing Committees

- 1.—*On Preamble and Bill of Rights Five Members.* McCORMICK, NAPTON, POWER, TOOLE, MALONEY.
- 2.—*Rights of Suffrage – 3 Members.* COOPER, COLLINS,
- 3.—*Legislative Departments – Seven Members.* LANGHORN, MERRIMAN, BROWNE, ABASCAL, PEASE,
- 4.—*Executive Departments – Three Members.* MILLS, EDDY, HUNDLEY.
- 5.—*Judiciary and Judicial Departments, including Pardoning Power. – Nine members.* DIXON, TOOLE, NAPTON, McCORMICK, CALLAWAY, HUNT, VIVION, SMITH, BURLEIGH.
- 6.—*Military Affairs – Three Members.* HOWELL, DOUGLAS, EDDY.
- 7.—*Finances of the State, public debt, indebtedness of counties and municipalities, revenues, expenditures and taxation and the restriction to be placed on the powers of the legislature in respect thereto – Nine Members.* COLLINS, POWER, BROWNE, EATON, McSORLEY, PROCTER, ABASCAL, HOWELL,
- 8.—*Education – Three Members.* HEDGES, LANGHORN, STEPHENS.
- 9.—*State Institutions and Public Buildings – Five Members.* HUNDLEY, WATERBURY, DOUGLASS, McCLINTOCK, DALY.
- 10.—*City and Town Organizations. – Three Members.* VIVION, CARROLL,
- 11.—*Apportionment and Representation – Three Members.* CALLAWAY, McSORLEY, PEMBERTON.
- 12.—*Corporations, (other than municipal) – Five Members.* PEMBERTON, HEDGES, SMITH, HOWELL, FERGUS.
- 13.—*Miscellaneous Subjects and Future Amendments – Three Members.* BROWNE, VIVION,
- 14.—*On Schedule – Three Members.* GREENE WATERBURY, CATLIN.
- 15.—*Mining, Water and Water Rights – Five Members.* DALY, MERRIMAN, EATON, PROCTER,
- 16.—*Agriculture, manufactures, commerce and immigration – 5 Members.* FERGUS, CARROLL, COOPER, CATLIN, VAN GASKEN.
- 17.—*Reporting, printing, mileage & contingent expenses – 3 Members.* McSORLEY, MILLS, McCLINTOCK.
- 18.—*Privileges and elections – Three Members.* TOOLE, VAN GASKEN, PEASE.
- 19.—*Engrossment and Enrollment – Three Members.* CARROLL, MALONEY, HUNT.
- 20.—*Boundaries, public lands and homestead exemptions – 3 Members.* STEPHENS, GREENE,
- 21.—*Revision, phraseology and adjustment – Three Members.* SMITH, BURLEIGH, DIXON.
- 22.—*Ordinances – Five Members.* PROCTER, EATON, McCORMICK, GREENE, FERGUS.

[picture]⁵

⁵ Folder label reads: Minutes Book. Minutes of daily sessions transcribed from original notes of Sec. Paul L. Van Cleave. 175 pages.

Imk
Wilt

6⁶

⁶ Labeled "1" in top right corner.

First Day⁷ Helena Montana February 9, 1884

In pursuance of a Joint Resolution adopted by the Thirteenth (13th) Legislative Assembly of the Territory of Montana the Constitutional Convention therein provided for was called to order at twelve (12) o'clock pm, January fourteenth (14th) 1884 at the City of Helena by Mr. W.J. McCormick, a member elect thereof, and

On motion of Mr. S.W. Langhorne, Mr. McCormick was elected Temporary President and thereupon assumed the chair.

On motion by Mr. Hedges, Mr. James B. Wells was elected secretary pro. tem.

On motion of Mr. Pemberton, Mr. W.J. Lippincott was elected temporary stenographer.

On motion of Mr. Langhorne, a committee of credentials consisting of one (1) member from each county, as follows, was appointed.

From

Gallatin County Mr. S.W. Langhorne, Chair

Yellowstone " " F.L. Greene

Choteau " " T.E. Collins

Custer " " W. Van Gasten

Gallatin " " G.O. Eaton

Lewis and Clark " " J.K. Toole

Missoula " " W.J. Stephens

Dawson " " J.F. Maloney

Jefferson " " N. Merriman

Madison " " H.S. Howell

Meagher " " James Fergus

Beaverhead " " R.B. Smith

Deer Lodge " " E.B. Waterbury

Silver Bow " " W.Y. Pemberton

First Day (cont.)⁸

On motion of Mr. Eaton, a committee of five (5) of which the Chairman was to be a member was appointed to confer with the Secretary of the Territory relative to procuring a large hall for the accommodation of the convention; as follows;

From

Lewis and Clark. Mr. C. Hedges

Deer Lodge "J.H. Mills

Gallatin "R.P. Vivion

Lewis and Clark "T.C. Power

On motion of Mr. Smith, Mr. Sam Alexander was elected temporary Sergeant at Arms.

On motion of Mr. Collins Stonewall Rowe, was elected temporary Page.

On motion of Mr. Calloway John Porter was elected temporary Fireman.

On motion of Mr. Procter the Convention adjourned until two (2) o'clock P.M. this day.

Jas. B. Wells

Temporary Secretary

⁷ Labeled "2" in top left corner.

⁸ Marked "3" in top right corner

First Day cont. PM Session⁹

Convention met pursuant to adjournment at two (2) o'clock P.M. Mr. President pro. tem. In the chair.

The following report of the Convention Credentials was received: Mr. President: We your committee on credentials beg leave to report that the following named gentlemen are entitled to serve in this convention

Beaverhead County	Joseph A. Browne Robert B. Smith	Gallatin	"	R.P. Vivion G.O. Eaton
Choteau	"			F.D. Pease Ed. F. Ferris
Custer	"			S.W. Langhorne
	C.W. Savage Wm. Van Gasken	Jefferson	"	E. McSorley N. Merriman
	S.R. Douglas			Matt. Carroll
Dawson	"	Lewis and Clark	"	J.K. Toole C. Hedges
Deer Lodge	"			George Steel
	J.C. Robinson E.B. Waterbury Joaquin Abascal	Madison	"	H.S. Howell J.E. Calloway

First Day Cont. P.M. Session¹⁰

Missoula County	John B. Caitlin W.J. McCormick R.A. Eddy W.J. Stephens	Yellowstone	"	F.M Procter F.L. Greene
Meagher	"	First Judicial District		Walter Cooper Andrew F. Burleigh
	J.F. McClintock Jas. Fergus W.F. Haase	Second	"	W.W. Dixon James H. Mills
Silver Bow	"	Third	"	W.B. Hundley T.C. Powers
	Thos. L. Napton W.A.Clark W.Y.Pemberton Marcus Daly J.C.C. Thronton Francis Medhurst			

Which we herewith respectfully report
S.W. Langthorne
Chairman

On motion of Mr. Procter the above report was adopted.

On motion of Hedges a Committee of Three (3) consisting of Messrs Hedges, Hundley & Burleigh, was appointed to wait upon the Chief Justice of the Territory and request his presence before the Convention to administer the oath prescribed for members.

⁹ Marked "4" in top left corner

¹⁰ Marked "5" in the top right corner

First Day Cont. P.M. Session¹¹

The Committee having returned and reported the following Oath of Office was now administered to the members of the Convention, by His Honor, Chief Justice Wade.:
Territory of Montana County of Lewis & Clark ss.

I do solemnly swear that I will support, protect and defend the Constitution of the United States and the Organic Act of the Territory of Montana; and that I will discharge the duties of my office with fidelity; that I have not paid or contributed or promised to pay or contribute either directly or indirectly any money or valuable thing to procure my nomination or Election, except for necessary and proper expenses expressly authorized by law; that I have not knowingly violated any election law of the Territory or procured it to be done by others on my behalf; that I will not knowingly receive directly or indirectly any money or other valuable thing for the performance or nonperformance of any act or duty pertaining to my office other than the compensation allowed by law

Robt. B. Smith	Beaverhead
Timothy E. Collins	"
William H. Hunt	Choteau
Wm Van Gasken	"
S.R. Douglas	Custer
J.F. Maloney	Dawson

First Day Cont. P.M. Session¹²

E.B. Waterbury	Deer Lodge	James Fergus	Meagher
J. Abascal	"	J.F. McClintock	"
R.P. Vivion	Gallatin	Thos. L. Napton	"
G.O. Eaton	"	Wm A. Clark	
F.D. Pease	"	W.Y. Pemberton	
S.W. Langhorne	"	Marcus Daly	
E. McSorley	"	F.M. Proctor	
Nathaniel Merriman	Jefferson	F.L. Greene	
Matt Carroll	Lewis and Clark	Walter Cooper	
J.K. Toole	"	Andrew F. Burleigh	
Cornelius Hedges	"	WW Dixon	
John B. Catlin	Missoula	James H. Mills	
R.A. Eddy	"	T.C. Powers	
W.J. McCormick	"	WB Hundley	
W.J. Stephens	"		

Sworn to before me and subscribed in my presence this 14th day of January AD 1884

Decius S. Wade
Chief Justice of Montana

¹¹ Marked "6" in top left corner

¹² Marked "7" in top right corner

First Day Cont. P.M. Session¹³

On motion of Wm Hundley a note of thans was now tendered to the Chief Justice for his services in administering the above oath.

The following communication was received.

"Territory of Montana Secretary's Office Helena Jan 14th 1884

Hon W.J. McCormick

Sir, I have the honor to inform your Committee that the Trustees of the Methodist Church South have been seen, and they answer that their Church Building is leased to the Baptist Society who declines to surrender its use. Very Respectfully

John S. Tooker

Secretary of Montana"

The following resolution was received,

"Resolved: That a Committee of Five (5) be appointed by the Chair to draft an ordinance on resolution providing for and designating the necessary officers to transact the business of this Convention and to fix the amount of pay such officers shall receive; and that such Committee be instructed to report at the earliest practicable hour

Calloway"

First Day Cont. P.M Session¹⁴

To the above resolution the following amendment was offered by Mr. Stephens.

"Amend the resolution by having the Committee select only the President and Secty. And that no other officers be selected by said Committee now."

On motion of Vivion the above Resolution together with the amendment thereto was postponed indefinitely.

The following Resolution was offered by Proctor

"Resolved: That the permanent officers of this Convention be a President, a Secretary, one (1) assistant Secretary, one (1) Journal Clerk, one Sergeant at Arms, one Assistant Sergeant at Arms, who shall be ex. official doorkeeper or watchman, two pages and one official reporter. Resolved: that the President, the Secretary, assistant Secretay, Journal Clerk, and Official Reporter be elected by the Convention; that the Pages be appointed by the President and the Wachman by the Sergeant at Arms."

On motion of Mr. Pemberton the above resolution was postponed until after the permanent organization should effected.

¹³ Marked "8" in top left corner

¹⁴ Marked "9" in top right corner

First Day Cont. P.M. Session¹⁵

The following resolution was now offered:

“Resolved, that this convention do now proceed to the election of a permanent President of this Convention and a Secretary.

N. Merriman.

The motion of Howell to adjourn until tomorrow was amended on motion of Dixon and the Convention adjourned until 7 P.M. this day.

Jas B. Wells,

Temporary Secretary

First Day Cont. Evening Session¹⁶

Pursuant to adjournment the Convention met at seven (7) oclock P.M. Mr. President pro. tem. In the chair Roll called, absent Collins Daly, Douglas, Hunt & Hedges.

On motion of Waterbury Call of House ordered and the Sergeant at Arms instructed to seek absentees

Absentees Hunt, Daly & Hedges in their seats

On motion of Pemberton further proceedings under call were suspended

Mr President pro. tem announced as first order of business the election of Permanent Officers

Mr. Dixon placed in nomination Mr. WA Clark.

Mr. Hedges placed in nomination Mr. James H. Mills

On motion of Mr. Procter the Secretary was instructed to call the roll each member rising in his seat, and thereupon announcing his vote.

Mr. Mills asked that his name be withdrawn, but no action was taken on the request.

The ballot for Permanent President as announced was

¹⁵ Marked “10” in top left corner

¹⁶ Marked “11” in top right corner

First Day Cont. Night Session¹⁷

For Mr W.A. Clarke [*sic*] 25 votes

“ Jas. H Mills 4 “

Excused from voting 5

The President pro tem. Having declared Mr. Clarke [*sic*] elected, appointed Messors Mills and Langhorne, a Committee to escort him to the chair.

The President in the Chair. Mr. President having announced the next order of business to be the election of a Permanent Secretary, Mr. Hundley nominated Mr. P.L. Van Cleave of Yellowstone and there being no other nominations, Mr. Van Cleave was on motion of Mr McCormick elected Secretary by acclamation.

Mr. Van Cleave being absent Mr. Wells was on motion of Mr Procter chosen Secretary pro. tem. Until the Permanent Secy. Should arrive and qualify.

The following resolution was offered by Mr. Toole, as an amendment to the Resolution in relation to Officers.

“Be it Resolved by this Convention that in addition to the officers of President and Secretary of the Convention there be and is hereby created the following Officers. One Assistant Secretary, One Engrossing Clerk

First Day Cont. Night Session¹⁸

“One sergeant at Arms. One Fireman. Two Stenographers and Two Pages, who shall receive the following compensation per diem

Assistant Secretary, Eight (8) Dollars

Engrossing Clerk Eight (8) “

Sergeant at Arms Five (5) “

Firemen Four (4) “

Stenographers, each Fifteen (15) “

Pages Four (4).

And be it further resolved that each Standing Committee of this Convention be and is thereby empowered to appoint a Clerk of such Committee who shall be entitled to receive a compensation Five (5) dollars per diem.”

On motion of Mr. Dixon the Resolution was referred to a Committee of Five (5) consisting of Dixon, Carroll, Collins, Vivion and Maloney.

The following Resolution was presented.

“Resolved: the Territorial Secretary be requested to have printed at his earliest convenience, One Hundred (100) copies of the Enabling Act on Resolution passed at the last Legislature for the call of this Convention, Entitled “House Joint Resolution providing for a Constitutional Convention”

“N. Merriman”

¹⁷ Marked “12” in top left corner

¹⁸ Marked “13” in top right corner

First Day night Session¹⁹

~~On motion of Dixon the Resolution was referred to a Committee of Five consisting~~²⁰

Mr. Mills offered as a Substitute to the above Resolution that the Secretary be requested to furnish the Convention with Twenty Five (25) copies of the paper bound laws of the 13th Legislative Assembly.

Mr. Calloway moved to amend by substituting 45 copies instead of 25, and the Substitute for the Amendment to the Resolution was adopted.

The following Resolution was offered.

“Resolved, that the following be declared the Standing Committee of this Convention said Committees to be composed of such members, as the Convention may hereafter determine:

- | | |
|-------------------------------------|--|
| 1. On rules | 8. Distribution of Powers: Pardons and Militia |
| 2. On Elections and Qualifications. | 9. Education |
| 3. On Bill of Rights. | 10. State Institutions and Public Buildings |
| 4. Elective Franchise. | 11. Cities, Towns and Counties. |
| 5. Legislative Department | 12. Corporations |
| 6. Executive Department | 13. Revenue and Taxation |
| 7. Judicial Department. | 14. Water and Water Rights |

First Day Night Session²¹

15. State and Municipal Indebtedness.
16. Land and Homestead Exemptions: and Amendments to the Constitution
17. Miscellaneous Subjects and Boundary.
18. Schedule.

Burleigh.

Mr. Burleigh having moved the adoption of the above Resolution; Mr. Stevens moved to refer the same to a Committee of Five (5), Mr. Hunt's motion to amend by making the Committees Seven (7) instead of Five, was further amended by Eaton proposing to make the Committees Thirteen (13) instead of Seven (7).

The Amendment to the amendment having been adopted, the original motion was²² and the Resolution referred to a Committee of Thirteen (13) to be appointed by the Chair.

The following Resolution was offered:

Resolved, that the privileges of the floor of the Convention be extended at all times during the Session to the Governor and Ex Governors of Montana; to the Secretary of the Territory, to the Chief Justice, and the Judges of the Supreme Court, and the US Marshal, and that the Secretary of the Convention Notify them accordingly –

Hunt

¹⁹ Marked “14” in top left corner

²⁰ Marked “Error” and strikethrough in original

²¹ Marked “15” in top right corner

²² Indiscernible word, looks like “sat” or “pal”

First Day, Night Session.²³

On motion of Calloway the above Resolution was adopted and the Secretary instructed to acquaint such officials with the action of the Convention.

The following resolution was offered:

Resolved; that the Secretary of Montana be requested to have the Hall time pieces of this Convention set to the true meridian time of Helena, and that the meeting of sessions shall conform thereto

Mills

On motion the above Resolution was adopted.

On Motion of Burleigh a Committee of Five (5) to provide Rules for the Government of the Congmvention was appointed by the Chair as follows – Messrs. Burleigh, McCormick, Mills, Langthorne and Toole.

Mr McCormick, Chairman of the Committee to provide better Accomodations for the Convention reported inability to secure other rooms, and asked to be discharged On motion of Dixon, the Committee was given further time and was also instructed to consider practicability of altering the arrangement of the room now occupied.

First Day Night Session.²⁴

On motion of Calloway the Convention adjourned until eleven (11) oclock a.m. tomorrow.

Jas B Wells
Temporary Secretary

A.M. Session Helena Montana Jany 15, 1884
Second Day

The Convention met pursuant to adjournment at Eleven (11) oclock a.m. Mr President in the Chair. Roll called – all present. Journal of preceding day, read, corrected and approved.

The Report of the Committee to whom was referred the matter of the Officers of the Convention and their Compensation having been received, the same was on motion of Mr. McCormick, re-referred to such Committee under instructions to amend such report by inserting therein proper compensation for President and Secretary of the Convention.

The motion of Mr. McCormick to reconsider the vote by which the Resolution of Mr. Burleigh, providing for the number and construction of Standing Committees had been referred to a Committee of

²³ Marked "16" in top left corner

²⁴ Marked "17" in top right corner

Second Day A.M. Session²⁵

Thirteen (13) to be appointed by the Chair, and to refer such Resolution to the Committee on Rules increased by the addition of Two (2) members having been adopted the Chair appointed Messrs Pemberton and Hunt as such additional members. Mr Pemberton withdrawing in favor of Mr Procter, the Chair appointed that Gentleman in his place.

On motion of Maloney a Committee of Three to consider the matter of the mileage of members was appointed, consisting of Messrs. Maloney, Daly and Catlin.

The Following Resolution was offered:

Resolved: That the Secretary of the Territory be and is hereby requested to furnish the Secretary of this Convention one thousand (1000) printed roll calls for the use of the Convention.

Greene.

On motion of Mr McCormick the above resolution was adopted.

The following Resolution was presented by Mr. Burleigh.

Second Day A.M. Session.²⁶

Be it Resolved, and ordained that in the opinion of this Convention the office of President is one of honor, and should not have a pecuniary compensation; that the compensation of the Secretary of this Convention be and hereby is fixed at Ten (10) dollars per day.

On motion of Mr McCormick the subject of the above Resolution was referred to the Committee having in charge the Number and Compensation of Officers of the Convention.

The motion of Mr McCormick to adjourn until three (3) o'clock P.M. this day was lost.

On motion of Mr Langhorne the Convention adjourned until Two (2) o'clock P.M. this day

Jas. B. Wells

Temporary Secretary

Afternoon Session.

The Convention met pursuant to adjournment. Mr. President in the Chair. Roll called. Quorum present.

On motion of Mr. McCormick a recess was taken for twenty (20) minutes to enable Committee on Rule to make Report.

²⁵ Marked "18" in top left corner

²⁶ Marked "19" in top right corner