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JOURNALS

— OF THE —

Constitutional * Convention

— FOR THE —

STATE OF ARIZONA.

Convention Convened September 7, 1891, and
Adjourned October 3, 1891.

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Arizona (1891) Constitutional Convention, 1891

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Members of Constitutional Convention.

J. F. Wilson.....	}	Yavapai.
W. A. Rowe.....		
H. N. Alexander.....	}	Maricopa.
T. C. Jordan.....		
M. H. Williams.....		
W. H. Barnes.....	}	- Pima.
F. H. Hereford.....		
W. A. Hartt.....		
M. A. Smith.....	}	Cochise.
William Herring.....		
G. W. Cheyney.....		
J. W. Anderson.....	}	- Pinal.
Thomas Davis.....		
A. M. Patterson.....	}	Graham.
Ben. M. Crawford.....		
Art. McDonald.....	}	Apache.
John Hunt.....		
Thomas Gates.....	}	- Yuma.
Foster S. Dennis.....		
T. G. Norris.....	}	Mohave.
Alonzo Bailey.....		
		Coconino.
		- Gila.

Officers of Constitutional Convention.

W. A. Rowe.....	President.
A. C. Bernard.....	Secretary.
J. O. Dunbar.....	Assistant Secretary.
John Hughes.....	Page.
John McCassey.....	Sergeant-at-Arms.
J. W. Kincaid.....	Door-Keeper.
May McElwain.....	Clerk.

JOURNALS.

SEPTEMBER 7th, 1891.

The convention was called to order by W. A. Rowe.

Alonzo Bailey elected temporary Chairman. Frank Hereford elected temporary Secretary.

Dennis, of Mohave, moved that a committee of three be appointed by the chair as a committee on Credentials. Carried.

Dennis, of Mohave, Rowe, of Yavapai, and Anderson, of Pinal, appointed committee on Credentials.

Barnes, of Pima, moved that a committee of five be appointed by the chair upon rules and plan of permanent organization. Carried.

Barnes, of Pima, Smith of Cochise, Alexander, of Maricopa, McDonald, of Apache, Patterson, of Graham; by request of Alexander Williams was substituted in his place.

Roll call: Absent, Hartt, of Pima, Herring, of Cochise, Cheyney, of Cochise, Tritle, of Yavapai, Davis, of Pinal, and Norris, of Coconino.

Recess to 1 p. m.

Convention called to order at 1 p. m., Mr. Bailey in the chair.

Committee on Credentials reported and committee discharged, and the following named gentlemen reported entitled to seats in this Convention:

"To the Temporary Chairman of the Convention for the purpose of framing a State Constitution:

Your committee on Credentials beg leave to report that they find the following gentlemen entitled to seats in this

Convention: M. H. Williams, H. N. Alexander, T. C. Jordan, of Maricopa; W. H. Barnes, Frank, Hereford, W. A. Hartt, of Pima; M. A. Smith, Wm. Herring, Geo. W. Cheyney, of Cochise; W. A. Rowe, J. F. Wilson, F. A. Tritle, of Yavapai; A. M. Patterson, Ben. Crawford, of Graham; Art. McDonal, John Hunt, of Apache; J. W. Anderson, Thos. Davis, of Pinal; Thos. Gates, of Yuma; Alonzo Bailey, of Gila; Foster S. Dennis, of Mohave; T. G. Norris, of Coconino. Respectfully Submitted,

FOSTER S. DENNIS,
Chairman, Committee on Credentials."

Roll call: Williams, Alexander and Jordan, of Maricopa; Barnes and Hereford, of Pima; Smith, of Cochise, Rowe and Wilson, of Yavapai; Patterson and Crawford, of Graham; McDonald and Hunt, of Apache; Anderson, of Pinal; Gates, of Yuma; Bailey, of Gila, and Dennis, of Mohave, present. and the oath of office administered by Secretary of Territory Murphy.

John Proops elected as janitor of temporary organization.

Moved by Barnes that a committee be appointed to confer with the Secretary of the Territory to secure paper, etc., for convention. Carried.

Williams, Alexander and Jordan appointed.

Moved that convention adjourn till 3 p. m., September 8, 1891.

Approved.
FRANK H. HEREFORD,
Temporary Secretary.

W. A. ROWE, President.

PHOENIX, ARIZ., Sept. 8, 1891.

Convention called to order at 3 p. m., pursuant to adjournment, Alonzo Bailey in the chair.

Roll call showed Crawford, Patterson, Smith, Cheyney, Herring, Barnes, Hereford, Hartt, Gates, Alexander, Williams, Jordan, Hunt, McDonald, Dennis, Wilson, Rowe, Davis, Anderson and Bailey present. Tritle and Norris absent.

Secretary Murphy administered the oath of office to Cheyney, Herring, Hartt and Davis.

The committee on rules and permanent organization reported, which was read and the rules with amendments adopted as follows, to-wit:

RULES.

1. A majority of the members of the convention, who shall have qualified and not been excused by order of the convention, shall constitute a quorum, but a smaller number may adjourn from day to day.
2. The convention shall keep a journal of its proceedings, which shall be preserved, and upon the adjournment deposited with the president of the convention, to be by him filed with the Secretary of State or other keeper of the archives of the State Arizona as soon as the said officer shall be elected and qualified, and to be hereafter disposed of as provided by law. And such proceedings shall be published in pamphlet form for general distribution.
3. Two members shall be sufficient to demand the yeas and nays on any question, and when so demanded they shall be entered on the journal.
4. Any member shall have liberty to have entered upon the journal his protest and dissent against any act or resolution when such protest and dissent shall be made in writing in respectful and brief language, and filed with the secretary, and such entry shall be made without debate.
5. The convention may, with the concurrence of two-thirds of all the members present, expel a member, and reasons therefore shall be entered on the journal.
6. The sergeant-at-arms and door-keeper shall not permit any person not a member or officer or employe of this convention to pass inside the railing at any time during the sessions, except reporters of the press, duly assigned as such by the president of the convention, and

such other persons as shall be invited therein by the president or members of the convention.

7. No person shall be permitted to manifest any signs of approbation of disapprobation, either on the floor or in the lobby.

8. The president shall take the chair at the hour to which the convention shall have adjourned, shall immediately call the convention to order, and on the appearance of a quorum shall cause the journal of the preceding day to be read, unless such reading shall be dispensed with by the order of the convention. He shall preserve order and decorum, shall decide questions of order, subject to an appeal to the convention by any one member, on which appeal no member shall speak more than once, unless by the leave of the convention.

9. Except where the yeas and nays are demanded, as in these rules provided, all questions shall be determined either by putting them in the ordinary mode, or division be called for by rising from the seats.

10. The president shall examine and correct the journal before it is read; he shall have the general direction and control of the hall, and may name any member to perform the duties of the chair, but such substitute cannot extend beyond three days, and such substitute, during such time, shall be vested with all the powers of the president.

11. All committees shall be appointed by the president, unless otherwise ordered by the convention.

12. If any member in speaking or otherwise shall transgress the rules of the convention, the president shall or any member may call him to order, in which case the member so called to order shall immediately sit down, unless permitted to explain, and if appeal is taken to the convention, a decision shall be had without debate; but this rule shall not apply to the point of order raised under provisions of rule 8.

13. Every member who shall be within the bar of the convention when a motion shall be stated from the chair shall vote thereon, unless he shall be excused. Any member desiring to be excused from voting shall make his request before the roll call shall be commenced, he may then state concisely without argument his reasons for asking to be excused, and the question of excusing shall be taken without debate.

14. Every motion shall be reduced to writing if the president or any member requests it.

15. After a motion is stated by the president, or read by the secretary, it shall be deemed in the possession of the convention, but may be withdrawn at any time before decision or amendments with the consent of the convention.

16. When a question is under debate no motion shall be received but to adjourn, call the house, lay on the table, the previous question, to postpone indefinitely, to postpone to a day certain, to commit or amend; which several questions shall have precedence in the order in this rule stated.

17. A motion to adjourn shall always be in order, and be decided, as well as the motion to lay on the table without debate.

18. No motion to postpone to a day certain, or indefinitely, or to commit, being decided in the negative, shall be again allowed on the same day or at the same stage of the proposition.

19. A motion to strike out the proposition shall have precedence of the motion to amend, and if carried shall be equivalent to its rejection.

20. When a blank is to be filled, and different sums, times or quantities are proposed, the question shall first be put on the largest sum, or quantity and the longest time.

21. If the question in debate contains several propositions any member may have the same divided, and on a

motion to strike out and insert, it shall be in order to move for a division of the question, and the rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike and insert a different proposition, nor prevent a subsequent motion to strike out only, nor shall the rejection of a motion to strike out only, prevent a subsequent motion to strike out and insert.

22. When a question has once been put and decided it shall be in order for a member voting with the majority to move for a reconsideration thereof on the same or during the two succeeding business days, but not afterwards. Such motion shall take precedence of all other questions except a motion to adjourn.

23. When motions are made for a reference of the same subjects to a select committee and to a standing committee, the question of reference to a standing committee shall be first put.

24. A motion to commit and a motion to postpone indefinitely or to a day certain, until decided shall preclude all amendments in the main question.

25. No motion or proposition on a subject different from that under consideration shall be admitted under color of an amendment.

26. A motion to lay an amendment on the table, being sustained shall not have the effect to convey to the table any proposition except what is contained in the amendment.

27. The previous question shall be always in order, and shall be put in this form: Shall the main question be now put? And until it is decided shall preclude all amendments or debate.

28. When on moving the previous question the convention shall decide in the negative, the main question shall be considered as still under debate.

29. The effect of the main question, being ordered shall be to put an end to all debate and bring the convention a direct vote. First, on all amendments reported or

pending, the last amendment moved being first considered, and then on the main question.

30. After the motion for the previous question has prevailed, it shall not be in order to move a call of the convention prior to a decision of the main question.

31. No call of the convention shall be ordered except upon the demand of one-third of all the members present at the time the call is demanded.

32. The unfinished business on which the convention was engaged at its last adjournment shall at the next meeting of the convention have precedence of all other business except as provided in the order of business.

33. All motions and resolutions not pertaining to the current business of the convention shall be, upon being read, referred by the president to the appropriate committee with debate.

34. The hour of meeting shall be 2 o'clock p. m. daily except Sunday, until otherwise ordered.

35. Order of business—1, Reading the journal; 2, Communications and presentation of petitions; 3, Unfinished business of the previous day; 4, Reports of the standing committees; 5, Consideration of reports of standing committees; 6, Reports from select committees; 7, Consideration of reports from select committees; 8, Presentations of resolutions and propositions relating to the constitution.

36. There shall be four clerks elected by the convention one of whom shall be secretary of the convention.

37. It shall be the duty of the secretary to keep a journal in which he shall record all of the proceedings of the convention, and to do and perform such other acts appertaining to his office as may be required of him by the convention or its presiding officers.

38. It shall be the duty of the door keeper to perform such acts as may be required of him by the secretary of the convention or its presiding officers.

39. It shall be the duty of the sergeant-at-arms to attend the convention during its sittings, and to execute the commands of the convention from time to time.

40. There shall be appointed a janitor who shall be under the direction of the sergeant-at-arms.

41. No rule of the convention shall be altered, suspended or rescinded without the vote of two-thirds of the members present except rule 34 as to time.

42. The rules of parliamentary practice comprised in Jefferson's Manual shall govern the convention in all cases in which they are applicable and not inconsistent with the standing rules and orders of the convention.

43. The first named member of any committee shall be its chairman and in his absence or in case he is excused by the convention, the next named member shall constitute its chairman and so on unless the committee in case of the absence of the first named member, shall by a majority of the members of said committee elect a chairman.

44. There shall be employed by this convention, one stenographer at ten dollars per day and twenty cents per folio for one transcript of the proceedings of this convention. One messenger at five dollars per day. All persons employed by this convention shall be paid from appropriations now or hereafter to be made.

45. The employes herein provided for shall be elected by the convention, and be subject to removal by it.

All of which is respectfully submitted.

WM. H. BARNES, Chairman,
MARCUS A. SMITH,
M. H. WILLIAMS,
A. M. PATTERSON,
ART McDONALD.

The recommendations of the committee on rules and creating the standing committees of the convention was debated and left over for future consideration, except numbers 23 and 4, which were adopted.

On motion the convention proceeded to permanent organization. J. W. Anderson, of Pinal, placed W. A. Rowe, of Yavapai, in nomination for President of the convention, and upon motion Mr. Rowe was elected by acclamation.

On motion of F. A. Hereford, of Pima, A. C. Bernard, of Pima, was elected Secretary of the convention by acclamation.

On motion of Foster S. Dennis, of Mohave, J. O. Dunbar, of Maricopa, was elected by acclamation Assistant Secretary.

On motion of Alexander, of Maricopa, Miss May McElwain was elected clerk.

On motion of W. H. Barnes, of Pima, John McCassey was elected Sergeant-at-arms.

On motion of T. C. Jordan, of Maricopa, J. W. Kincaid was elected door-keeper.

On motion of Alexander John Hughes, of Pima, was elected messenger.

On motion of Barnes the selection of the fourth clerk was postponed.

On motion of Wilson the selection of stenographer was postponed.

Hereford offered the following resolution which was adopted.

"Resolved, That the Secretary of the Territory be asked to furnish a copy of the Revised Statutes and subsequent laws to each member of the convention."

On motion of Williams, John Proops was selected as janitor at a salary of \$2.50 per day.

On motion of Alexander the convention adjourned till September 9th at 2 p. m.

Approved.
W. A. ROWE,
President.

A. C. BERNARD,
Secretary.

PHOENIX, A. T., September 9, 1891.

Convention called to order at 2 p. m., pursuant to adjournment, President Rowe in the chair.

Roll call showed the following members present:

Williams, Alexander, Jordan, Barnes, Hereford, Hartt, Smith, Herring, Cheyney, Wilson, Patterson, Crawford, McDonald, Hunt, Anderson, Davis, Gates, Bailey, Dennis, Norris, Rowe.

Absent, F. A. Tittle.

Minutes of the meeting of September 7th and 8th were read and approved.

Smith moved that the report of the committee on Rules be adopted as read.

Alexander moved to amend by striking out 13 and inserting 5 as reported by the committee on Water and Water Rights.

Mr. Norris, of Coconino, appeared in the Hall and was sworn in by Secretary Murphy.

On a vote being taken on the amendment it was lost.

Herring moved that the words "miscellaneous business" be stricken out. Barnes moved to further amend by inserting "all questions bearing upon water, water rights, irrigation and reservoirs." On a vote being taken the amendment was carried.

Rule one was then adopted as amended.

Rule 5, (—embracing suffrage and elections), Herring moved to strike out the words "election and suffrage" and insert "general provisions." On a vote being taken the amendment was lost. Rule 5 was then adopted as reported by the committee.

Rule 6, Federal relations, great seal, etc., was adopted as read.

Rule 7, Education and school lands, was adopted as reported by committee.

Rule 8, Corporations, was adopted as reported by the committee.

Rule 9, Revenue and taxation, was adopted as reported by the committee.

Rule 10, Amendments to the Constitution, were adopted as reported by the committee.

Rule 11, Printing, was adopted as reported by the committee.

Rule 12, Schedule and submission, was adopted as reported by the committee.

Rule 13, Ways, means and expenses, was adopted as reported by the committee.

On motion of Barnes the convention adjourned till two o'clock, September 10, 1891.

W. A. ROWE,
President.

A. C. BERNARD,
Secretary.

PHOENIX, A. T., September 10, 1891.

Convention called to order; President Rowe in the chair.

Minutes of the preceding meeting read, corrected and approved.

Roll call showed all members except Tittle, of Yavapai, present.

Barnes moved that all members who had not been sworn be dropped from the roll call. Carried.

President Rowe then read the names of the gentlemen comprising the various committees, consisting as follows:

On Preamble, Bill of Rights, and all questions bearing on Water, Water-Rights, Irrigation and Reservoirs—J. W. Anderson, W. H. Barnes, M. H. Williams, T. C. Jordan, F. H. Hereford, J. F. Wilson, Marcus A. Smith; Ben Crawford, John Hunt, Thos. Gates, Alonzo Bailey, Wm. Herring, Foster S. Dennis, T. G. Norris.

On Executive Department, State Institutions and County Government—J. F. Wilson, Alonzo Bailey, Wm. Herring, Foster S. Dennis, T. G. Norris.

Education and School Lands—Geo. W. Cheyney, F. H. Hereford, Ben. Crawford, Thos. Davis, Thos. Gates.

Legislative Department, Apportionment, etc.—Marcus A. Smith, M. H. Williams, F. H. Hereford, F. S. Dennis, A. M. Patterson.

Revenue and Taxation—T. G. Norris, Alonzo Bailey, H. N. Alexander, Art. McDonald, Thos. Gates.

Printing, Reporting and Publications—M. H. Williams, W. H. Barnes, Thos. Davis, Frank Hereford, J. F. Wilson.

Federal Relations, Name, Boundary and Great Seal—T. C. Jordan, W. A. Hartt, Thos. Gates, Ben. Crawford, Art. McDonald.

Election and Suffrage—A. M. Patterson, Wm. Herring, John Hunt, H. N. Alexander, Foster S. Dennis.

Arrangement, Phraseology and Amendments of Constitution—Frank Hereford, Geo. W. Cheyney, Thos. Davis, M. H. Williams, F. S. Dennis.

Corporations—H. N. Alexander, Alonzo Bailey, Ben. Crawford, J. F. Wilson, W. A. Hartt.

Judiciary Department—W. H. Barnes, A. M. Patterson, J. F. Wilson, T. G. Norris, H. N. Alexander.

Ways, Means and Expenses—John Hunt, T. C. Jordan, M. A. Smith, Thos. Davis, W. A. Hartt.

Moved by Alexander that the unfinished business of the Stationery committee be turned over to the committee on Ways and Means. Carried.

Moved by Williams that the question of the appointment of a stenographer be referred to committee on Ways and Means. Carried.

Alexander offered Article one on preamble and a Bill of Rights which was read and referred to the committee on Water, Water Rights, etc.

Alexander, of Maricopa, introduced Article two, on the public waters of the State of Arizona. Referred to the committee on Water, Water Rights, etc.

Moved by Anderson that the Printing committee be authorized to confer with some responsible party to per-

form all necessary printing for this convention and report the cost to the House. Carried.

Moved by Barnes that the convention adjourn.

W. A. ROWE,
President.

A. C. BERNARD,
Secretary.

PHOENIX, ARIZ., Sept. 11, 1891.

The Convention called to order at 2 p. m., President Rowe in the chair.

Roll call showed all the members present.

The minutes of September 10th were read and approved.

Files one and two were returned to the convention to be printed and referred back to the committee.

The committee on Printing reported that the bid of the "Gazette" was the lowest and upon motion of Jordan the contract was awarded to the "Gazette."

It was moved by Williams that all propositions submitted to the convention be printed, and that the number of copies be limited to one hundred unless otherwise ordered. Carried.

Hunt reported from Ways and Means committee that he had corresponded with Tichnor, Stenographer, and the position was tendered him if he would accept it as tendered.

Herring offered Files 3, 4 and 5.

Jordan offered File No. 6.

File No. 7 introduced by Williams.

File No. 8 was introduced by Alexander.

Files numbers 3 and 4 were referred to the committee on Bill of Rights, etc. Number 5 was referred to the committee on Elections and Suffrage; number 6 was ordered to the committee on Preamble; number 7 to the committee Judiciary; number 8 was ordered to the committee on Taxation and Revenue.

It was moved by Hereford that the thanks of this convention be returned to the "Herald," "Gazette" and

"Republican" for courtesies extended; for copies, rules, letter heads, paper, etc. Carried.

It was moved by Cheyney that a committee of five be appointed on mines and mining, of which President Rowe should be the Chairman. Carried.

It was moved by Smith that the convention adjourn till September 14th, at 3 o'clock p. m. Carried.

W. A. ROWE, A. C. BERNARD,
President. Secretary:

PHOENIX, ARIZ., September 14, 1891.

The convention was called to order at 3 o'clock p. m., President Rowe in the chair.

The minutes of September 11 were read and approved.

The roll call showed: Present, Alexander, Anderson, Bailey, Crawford, Cheyney, Dennis, Gates, Hartt, Hunt, Herring, Jordan, McDonald, Patterson, Smith, Williams, Wilson, Rowe. Absent, Barnes, Davis, Hereford.

Mr. Dennis asked unanimous permission to introduce a resolution, which was granted, and the gentleman introduced the following amendment to the rules:

"Resolved, that the rules be amended by adding thereto the following:

Rule 46. Unless otherwise ordered by the convention nothing shall be ordered printed except reports of standing committees.

When such reports are made they shall be ordered printed and shall lie on the table for at least three days unless sooner taken therefrom by unanimous consent.

The reports shall be taken up from the table and considered in the order reported unless otherwise ordered by the convention."

Mr. Herring moved to amend by making the number of copies of printed propositions 25 instead of 50 unless otherwise ordered. On a vote being taken the amendment was lost. The resolution was then adopted.

Mr. Smith, from the committee on Legislation, submitted a report.

Mr. Wilson, from committee on Executive Department, submitted a report which went over, under the rules.

Mr. Herring recorded the following protest against the report of Mr. Wilson:

"The undersigned hereby dissents from the report of the committee upon Article..., on Executive Department, submitted this day. WM. HERRING.

September 14, 1891."

Mr. Alexander offered a proposition on education which was referred to the committee on Education; also one on corporations which was ordered to the committee on Corporations.

Mr. Williams offered a proposition on water and water-rights which was sent to the committee on Water and Water Rights and ordered printed.

Mr. Jordan offered an Article on Religious Liberty, which was sent to the committee on Bill of Rights.

Mr. Herring introduced an Article on water and water rights, which was referred to the committee on Water and Water Rights and ordered printed.

Mr. Smith gave notice of the introduction of a resolution modifying the calling of the previous question.

President Rowe appointed the following gentlemen on the committee on Mines and Mining: Dennis, Cheyney, Crawford and Bailey.

The convention stood adjourned till September 15th, at 3 p. m.

W. A. ROWE,
President.

A. C. BERNARD,
Secretary.

PHOENIX, ARIZ., September 15, 1891.

The convention was called to order at 3 o'clock p. m., President Rowe in the chair.

Roll call showed all members present excepting Mr. Herring.

The minutes of September 14th were read and approved.

Mr. Wilson, from the committee on Executive Department, submitted an Article on County Government, which was ordered printed.

Mr. Patterson, from the committee on Suffrage, made a partial report which was read.

Mr. Barnes submitted an Article on bill or rights, and water, which was referred to the committee on Bill of Rights, etc., and ordered printed by unanimous consent.

Mr. Jordan submitted an Article on water rights, irrigation and mines, which was referred to the committee on Bill of Rights, etc., and ordered printed.

Mr. Patterson offered an Article on jurors, which was referred to the Judiciary committee; also an Article on imprisonment for debt, which was referred to the committee on Bill of Rights, etc.

Mr. Williams submitted an Article on bill of rights; referred to the committee on Bill of Rights.

Mr. Smith moved that Friday, September 18th, after the regular order of business had been disposed of, the convention hear the ladies on the right of suffrage. Carried.

On motion the convention adjourned till September 16th, at 2 p. m.

W. A. ROWE,
President.

A. C. BERNARD,
Secretary.

PHOENIX, ARIZ., September 16, 1891.

Convention called to order at 2 p. m., President Rowe in the chair.

Roll call showed all members present except Mr. Herring.

Minutes of September 15th were read and approved.

Mr. Norris submitted a report on revenue and taxation from the committee on Revenue and Taxation, which was ordered printed, and went over under the rules.

Mr. Alexander dissented from the majority report of the committee on Revenue and Taxation.

Mr. Herring entered the convention at 3 o'clock and took his seat.

Mr. Smith gave notice that he would call up the report of the Legislative committee at 2 o'clock, September 17th, for consideration.

Mr. Davis submitted a proposition on public waters and water rights which was referred to the committee on Bill of Rights and ordered printed.

Mr. Hartt offered an Article on water rights which was referred to the committee on Bill of Rights, and ordered printed.

Mr. Jordan submitted an Article on homestead exemptions, which was read, and at the request of Mr. Jordan, referred to the committee on Legislative Department.

On motion of Norris the convention stood adjourned till September 17th, at 2 p. m.

W. A. ROWE,
President.

A. C. BERNARD,
Secretary.

PHOENIX, A. T., September 17, 1891.

The Convention was called to order at 2 o'clock p. m., President Rowe in the chair.

Roll call showed all the members present.

The minutes of September 16th were read and approved.

Mr. Barnes offered a petition from the citizens of Apache county, asking that female suffrage be put in the constitution of Arizona. The petition was read and referred to the committee on Elections and Suffrage.

Mr. Barnes offered a communication (by request) from C. D. Poston, on Spanish and Mexican land titles, which was referred to the committee on Education and School Lands.

Mr. Alexander offered a report from the committee on Corporations.

Mr. Cheyney offered a report from the committee on Education and School Lands.

Mr. Anderson, from the committee on Bill of Rights, offered a partial report from that committee.

Mr. Smith called up the report of the committee on Legislative Department.

Mr. Alexander offered a proposition on elective franchise, which was referred to the committee on Elections and Franchise.

Mr. Williams offered a proposition on State militia, which was read and referred to the committee on Federal Relations.

Mr. Anderson offered a proposition on irrigation, which was referred to the committee on Preamble, Bill of Rights, etc.

On motion of Mr. Smith the convention went into committee of the Whole for the consideration of the report of the Legislative Department committee, with Mr. Davis in the chair, and the Article was considered by sections.

Section one was adopted as read.

An amendment offered by Alexander to Section 2 being lost, the section was adopted as reported.

Section 3 was adopted as read, an amendment offered by Mr. Barnes, creating legislative instead of county districts, having been lost.

Sections 4 and 5 were adopted as read.

An amendment was offered to Section 6 by M. Cheyney, inserting the word "consecutive," which was lost, and Mr. Herring offered an amendment to the section by inserting the words "trials by" in line 6, which was carried and the section was adopted as amended.

Sections 7, 8, 9, 10 and 11 were adopted as read.

Section 12 was amended and adopted.

Sections 13 to 21 inclusive were adopted as read.

An amendment offered to Section 22 by Mr. Alexander having been lost, it was adopted as reported.

An amendment offered by Mr. Barnes being carried, Section 23 was adopted as amended.

An amendment to Section 24 was offered by Mr. Smith, and was carried, and a substitute for the section, offered by Mr. Herring being withdrawn, the section was adopted as amended by Mr. Smith.

Sections 25 and 26 were adopted as read.

Section 27 was adopted as read, an amendment offered by Mr. Hereford having been lost.

Section 28 was adopted as read.

An amendment to Section 29 was offered by Mr. Herring, providing for two stenographers for the State Legislature, which was lost. Further amendments offered by Mr. Alexander were carried and the section as amended was adopted.

Sections 30 to 38 inclusive were adopted as reported by the committee.

Col. Herring moved to strike out Section 39. Mr. Barnes moved that the section be postponed for future consideration. Mr. Williams amended the section by leaving the subsidy proposition to eight-tenths of the voters of county, municipality, city or otherwise. This section was postponed for future consideration.

Section 40 was read and adopted.

The apportionment of the various counties was read, and Mr. Hereford offered an amendment to the apportionment clause.

It was moved by Anderson that the committee rise and report progress and ask leave to sit again. Amended by Smith to strike out "sit again." Carried.

The committee through Mr. Bailey, its chairman, reported as follows:

MR. PRESIDENT:—The committee of the whole house have had under consideration the report on the Legislative committee and have come to no resolution thereon.

ALONZO BAILEY, Chairman."

Moved by Smith that the convention adjourn. Carried.
 W. A. ROWE, A. C. BERNARD,
 President. Secretary.

PHOENIX, ARIZ., September 18th, 1891.

The convention was called to order at 2 o'clock p. m.,
 President Rowe in the chair.

Roll call showed all the members present.

The minutes of September 17th were read, amended and
 approved.

Mr. Jordan submitted a report from the committee on
 Federal Relations which was ordered printed.

Mr. Patterson submitted a report from the committee
 on Elections and Suffrage.

Mr. Jordan submitted an Article on forestry, which was
 read and referred to the committee on Legislative Depart-
 ment.

Mr. Barnes moved that the convention go into commit-
 tee of the Whole for the purpose of listening to the argu-
 ments to be presented by those interested in the question
 of female suffrage. The motion was carried, and Col.
 Herring took the chair.

The committee rose and the Chairman, Col. Herring,
 reported that the committee had had under consideration
 the question of suffrage, and had listened to addresses by
 Mrs. Holbrook, Mrs. Johns, Mrs. Hughes, and Mrs. Gar-
 lick, and recommended that the report be referred to the
 committee on Elections and Franchise. The convention
 accepted the report and referred it according to the re-
 commendation.

A motion to adjourn having been lost, Mr. Smith mov-
 ed that the convention go into committee of the Whole,
 for the consideration of the report of the committee on Le-
 gislative Department. Carried.

Mr. Bailey took the chair.

The committee rose, and through its Chairman, Mr.
 Bailey, reported progress to the convention, and asked
 leave to sit again.

The report of the committee on Revenue and Taxation
 by request, was returned to its chairman.

Barnes moved that the convention adjourn. Carried.

W. A. ROWE, A. C. BERNARD,
 President. Secretary.

PHOENIX, ARIZ., September 19, 1891.

The convention was called to order at 2 o'clock p. m.,
 President Rowe in the chair.

Roll call showed all the members present except Here-
 ford, Smith, Barnes, Alexander, Davis and Bailey.

The minutes of September 18th, were read and approv-
 ed.

Mr. Jordan submitted an Article on Seat of Govern-
 ment. Read and referred to the committee on Federal
 Relations.

Davis, Hereford, Alexander, Smith and Barnes entered
 the house and took their seats at 2:30.

Mr. Williams submitted a resolution amending the
 rules as follows:

Resolved, that the rules be amended by adding to the
 number of committees another, to be known as the com-
 mittee on "General Provisions," with five members.

Moved by Barnes that the resolution be laid on the
 table.

The resolution was lost on a vote being taken.

It was moved that the convention resolve itself into
 committee of the Whole for the consideration of the re-
 port of the committee on Legislative Department. Car-
 ried.

Mr. Dennis took the chair.

Committee rose, and the Chairman, Mr. Dennis, reported that the committee of the whole had had under consideration the report of the committee on Legislative Department, and recommend that it do pass.

Mr. Herring moved to amend the report as follows:

"The Legislature is forever prohibited from licensing lotteries, gambling or games of chance," and called on the ayes and nays on the same.

The amendment was lost by the following:

Aye, Messrs. Alexander, Herring, Davis and Hartt. 4.

Nays, Messrs. Anderson, Bailey, Barnes, Crawford, Cheyney, Dennis, Gates, Hunt, Hereford, Jordan, McDonald, Norris, Patterson, Smith, Williams, Wilson and Mr. President. 17.

Moved by Mr. Smith that the report of the committee of the Whole on Legislative Department, as amended be adopted.

Moved by Mr. Alexander that the report of the committee of the Whole as amended, on Legislative Department, be adopted as an article of the Constitution of the State of Arizona.

Moved by Norris that the motion of Alexander be laid on the table. Motion lost.

A vote being taken on the motion of Alexander, it was carried, and the Article was adopted as an Article of the Constitution of Arizona.

Mr. Smith moved that the Article adopted be referred to the committee on Phraseology and Arrangements. Carried.

Mr. Wilson moved that the convention go into committee of the Whole to consider the report of the committee on Executive. Carried and Mr. Bailey took the chair.

The committee rose, and through its Chairman, Mr. Bailey, reported that the committee have had under consideration the report of the Executive committee on the Executive Department, have amended the same and as amended recommend that it be adopted.

Moved by Mr. Barnes that the convention adjourn till Monday, September 21st, at 10 o'clock. Carried.

W. A. ROWE,

A. C. BERNARD,

President.

Secretary.

PHOENIX, ARIZ., September 21, 1891.

The Convention was called to order at 10 a. m., pursuant to adjournment. President Rowe in the chair.

Roll call showed all members present except Alexander, Anderson, Davis, Hunt and Jordan.

Minutes of September 19th were read and approved.

Mr. Anderson entered the house and took his seat at 10:30.

Mr. Barnes from the committee on Judiciary reported an Article on Judiciary, which was ordered printed and go over under the rules.

Mr. Hereford nominated E. F. McElwain for clerk.

On a vote being taken Mr. McElwain was elected.

Mr. Wilson moved that the report of the committee on Executive Department be taken up. Carried.

Mr. Barnes moved amend Section 1 by striking out the words "Superintendent of Public Instruction" making the Governor ex-officio superintendent of schools.

Mr. Jordan entered the hall at 10:45 and took his seat.

Mr. Smith further amended the amendment making the Governor ex-officio superintendent of schools till otherwise provided by the Legislature.

On a vote being taken Mr. Smith's amendment was lost by the following vote.

Ayes, Anderson, Barnes, Smith, Mr. President.

Noes, Bailey, Crawford, Cheyney, Dennis, Gates, Hartt, Herring, Hereford, Jordan, McDonald, Norris, Patterson, Williams, Wilson.

Section 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, were adopted as read.

Mr. Barnes offered an amendment to Section 13, in regards appointees, which amendment was adopted.

Sections 14, 15, 16, 17, 18, were adopted as read. Section 19 was amended increasing the Governor's salary from \$2,000 to \$2,500, and adopted as amended.

Mr. Wilson moved the adoption of the report of the Executive Department as an Article of the Constitution. Carried.

The Article was referred to the committee on Phraseology and Arrangement.

On motion of Mr. Wilson the house went into committee of the Whole for the purpose of considering the report on County Government from the committee on Executive Department, Mr. Bailey in the chair.

Mr. Alexander entered the hall at 11:40 and took his seat.

The committee rose, and the Chairman, Mr. Bailey, reported that the committee had had under consideration the report of the Executive Department and had amended the same, and as amended asked that the report be adopted.

Mr. Barnes moved an amendment to Section 10, which was lost by the following vote:

Ayes, Anderson, Barnes, Jordan.

Noes, Alexander, Bailey, Crawford, Cheyney, Dennis, Gates, Hartt, Hunt, Herring, Hereford, McDonald, Norris, Patterson, Smith, Williams, Wilson, Mr. President.

Section 10 was then adopted as amended.

On motion of Norris Report No. 3 was then adopted as an Article of the Constitution and was referred to the committee on Phraseology and Arrangement.

On motion of Mr. Cheyney the convention resolved itself into committee of the Whole for the purpose of considering the report of the committee on Education and School Lands, Mr. Dennis in the chair.

The committee of the whole rose, and made the following report.

The committee of the Whole having had under consideration the report of the committee on Education and

School Lands Reports Nos. 6 and 7, respectfully report same back to the convention amended, and as amended recommend its adoption as an Article to the Constitution.

FOSTER S. DENNIS, Chairman.

On motion the Article was adopted as an Article of the Constitution and referred to the committee on Phraseology and Arrangements.

On motion of Mr. Smith a committee of three was appointed on Mileage.

On motion the convention adjourned till September 22nd at 10 o'clock a. m.

W. A. ROWE,
President.

A. C. BERNARD,
Secretary.

PHOENIX, A. T., September 22, 1891.

The Convention was called to order at 10 o'clock a. m., President Rowe in the chair.

Roll call showed all the members present except Davis, Crawford and Bailey.

The minutes of September 21st were read and approved.

On motion of Mr. Anderson the convention went into committee of the Whole for the consideration of the Preamble and Bill of Rights. Mr. Dennis in the chair.

Messrs. Crawford and Bailey entered the hall and took their seats.

The committee rose and reported as follows:

MR. PRESIDENT:—The committee of the Whole having under consideration the partial report of the committee on Preamble and Bill of Rights, respectfully report same back to the convention amended, and as amended recommend its adoption as an Article of the Constitution.

FOSTER S. DENNIS, Chairman.

Mr. Anderson moved that the recommendations of the committee of the Whole on Bill of Rights and Preamble be adopted as an Article of the Constitution. Carried.

Mr. Alexander submitted an amendment to report of

committee of the Whole on Bill of Rights and Preamble. The amendment was lost by the following vote:

Ayes, Alexander, Herring, Jordan, Norris, Williams.

Noes, Anderson, Bailey Barnes, Crawford, Cheyney, Davis, Dennis, Gates, Hartt, Hunt, Hereford, Patterson, Smith, Wilson and Mr. President.

Mr. Barnes moved to amend Sections 26 and 27 of the Bill of Rights. On a vote being taken the amendments were carried.

Mr. Barnes offered offered an amendment to Section 17, to strike out "excepting in cases of fraud," which was lost by the following vote:

Ayes, Alexander, Barnes, Davis, Herring, Jordan Williams, Mr. President.

Noes, Anderson, Bailey, Crawford; Cheyney, Dennis, Hartt, Hunt, Hereford, McDonald, Norris, Patterson, Smith and Wilson.

On motion the report of the committee on Bill of Rights was adopted as an Article of the Constitution.

Mr. Norris asked and obtained unanimous consent to submit the report of the committee on Revenue and Taxation.

President Rowe appointed Messrs. Smith, Hereford and Crawford as a special committee on Mileage.

On motion the convention stood adjourned till 10 o'clock September 23rd.

W. A. ROWE,
President.

A. C. BERNARD,
Secretary.

PHOENIX, ARIZ., September 23, 1891.

The convention was called to order at 10 o'clock a. m., President Rowe in the chair.

Roll call showed all members present.

The minutes of September 22 were read and approved.

Mr. Anderson, from the committee on Bill of Rights, Water Rights, etc., submitted a report. Ordered printed.

Mr. Smith submitted the report of the special committee on Mileage, which was read and adopted, and the committee was discharged.

On motion of Mr. Alexander the house resolved itself into committee of the Whole to consider the report of the committee on Corporations, Mr. Dennis in the chair.

The committee rose, and through its chairman reported as follows:

MR. PRESIDENT:—The committee of the Whole, having under consideration the report of the committee on Corporations, report the same back amended, and recommend its adoption as an Article of the Constitution.

FOSTER S. DENNIS, Chairman.

Mr. Wilson moved the adoption of the report as amended.

Mr. Patterson, Chairman of the committee on Elections and Franchise, asked that a hearing be given to several advocates of equal suffrage and the convention granted an hour, from two to three o'clock.

The convention took a recess till 3 o'clock p. m.

The convention was called to order at 3 o'clock, President Rowe in the chair.

Roll call showed all the members present.

Mr. Alexander moved to amend Section 4 by inserting the word "water" in the Article on Corporations, and asked for the ayes and nays. The amendment was lost by the following vote:

Ayes, Alexander, Davis, Herring.

Noes, Anderson, Bailey, Barnes, Crawford, Cheyney, Dennis, Gates, Hartt, Hunt, Hereford, Jordan, McDonald, Norris, Patterson, Smith, Williams, Wilson, Mr. President.

Mr. Williams moved to strike out the entire Section 4, and it was so ordered by the convention, and the Section was stricken from the Article.

On motion of Mr. Smith the report of the committee on Corporations was adopted as an Article of the Constitution.

At the request of Mr. Jordan the report of the committee on Federal Relations was returned to the committee for correction.

Mr. Patterson, Chairman of the committee on Elections and Franchise, submitted the report of said committee.

On motion the convention went into committee of the Whole to consider the report of the committee on Elections and Franchise, Mr. Dennis in the chair.

The committee rose, and the Chairman, Mr. Dennis, reported progress but no conclusion, and asked leave to sit again.

The convention adjourned till September 24, at 10 o'clock a. m.

W. A. ROWE,
President.

A. C. BERNARD,
Secretary.

PHOENIX, ARIZ., September 24, 1891.

The convention was called to order at 10 o'clock a. m., President Rowe in the chair.

Roll call showed all the members present.

The minutes of September 23rd were read and approved.

Mr. Norris asked unanimous consent to have the Article on School Lands and Education returned to the house, which was given.

Mr. Alexander submitted a petition for equal suffrage, which was referred to the committee on Suffrage.

Mr. McDonald also submitted a petition for equal suffrage from Apache country, which was read and referred to the committee on Suffrage and Elections.

Mr. Wilson submitted a report on State Institutions from the committee on Executive Department, which was ordered printed.

Mr. Herring submitted a proposition that eight hours labor shall constitute a day's labor on all State and

municipal works, referred to the Legislative committee.

On motion of Mr. Patterson the convention went into committee of the whole for the consideration of the report of the committee on Suffrage.

The committee rose and reported as follows:

MR. PRESIDENT:—The committee of the Whole have had under consideration the report of the committee on Elections and Franchise, and report back a substitute and recommend its adoption as an Article of the Constitution.

FOSTER S. DENNIS, Chairman.

On motion the report of the committee was adopted.

Moved by Mr. Wilson that the report of the committee be adopted as an Article of the Constitution.

Mr. Alexander offered the following amendment to Section 1:

Section 1. The qualification of voters shall by the Legislature be declared and established; but no person shall have the right to vote at any election who is not a citizen of the United States, or who is not sui juris; or who shall have been convicted of any infamous crime, and has not lived within the State twelve months, the county sixty days, and the voting precinct twenty days before the day of election.

The amendment was lost by the following vote:

Ayes, Alexander, Cheyney, Davis, Hunt, Herring.

Noes, Anderson, Gates, Bailey, Barnes, Crawford, Dennis, Hartt, Hereford, McDonald, Jordan, Norris Patterson, Smith, Williams, Wilson and Mr. President.

Mr. Alexander offered the following amendment to Section 3 of the report of the committee on Elections and Suffrage: To strike out all words commencing at the words "But no law" and ending at and including the words a general election."

The amendment was lost by the following vote:

Ayes, Alexander, Cheyney, Davis, Gates, Hunt, Herring, Norris, Patterson.

Noes, Anderson, Bailey, Barnes, Crawford, Dennis, Hartt, Hereford, Jordan, McDonald, Smith, Williams, Wilson and Mr. President.

Mr. Barnes offered an amendment to Section one of the report of the committee on Election and Suffrage: Making all who declare their intention to become citizens legal voters.

The amendment was lost by the following vote:

Ayes, Barnes, Crawford, Dennis, Hunt, McDonald, Patterson, Smith and Mr. President.

Noes, Alexander, Anderson, Bailey, Cheyney, Davis, Gates, Hartt, Herring, Hereford, Jordan, Norris, Williams, Wilson.

On motion the Article submitted by Mr. Patterson on Suffrage and Election was adopted as an Article of the Constitution.

On motion the committee went into committee of the Whole for the purpose of considering the report of the committee on Federal Relations, Mr. Dennis in chair.

The committee rose and reported as follows:

MR. PRESIDENT:—Your committee of the Whole have had under consideration the report of the committee on Federal Relations. Boundary, Name and Great Seal, and now report same back amended, and as amended recommend its adoption as an Article of the Constitution.

FOSTER S. DENNIS, Chairman.

On motion of Mr. Alexander the Article was adopted as an Article of the Constitution.

An motion the convention took a recess till 2 o'clock.

The convention was called to order at 2 o'clock p. m., President Rowe in the chair.

Roll call showed all the members present.

On motion of Mr. Norris Section 5 of the School Land Article was reconsidered and made a special order for September 25th, after the regular order.

On motion the convention went into committee of the Whole for the consideration of the report of the committee on Judiciary, Mr. Dennis in the chair.

The committee rose and reported as follows:

MR. PRESIDENT:—The committee of the Whole having under consideration the partial report of the committee on Judicial Department, and now report same back amended and as amended recommend its adoption as an Article of the Constitution.

FOSTER S. DENNIS, Chairman.

The report of the committee was adopted.

Mr. Barnes moved to amend Section 20, in reference to probate judges, by not allowing real estate jurisdiction.

It was moved by Mr. Smith that the convention do now adjourn till 10 o'clock. Carried.

W. A. ROWE,
President.

A. C. BERNARD,
Secretary.

PHOENIX, ARIZ., Sept. 25, 1891.

The Convention called to order at 10 o'clock a. m., President Rowe in the chair.

Roll call showed all the members present.

The minutes of September 24th were read and approved.

Mr. Jordan submitted a report from the committee on Federal Relations. Ordered printed, and went over under the rules.

The convention took up the report of the Judiciary committee for consideration.

On a vote being taken Mr. Barnes' amendment was carried by the following vote.

Ayes, Barnes, Crawford, Cheyney, Dennis, Gates, Hunt, Jordan, McDonald, Norris, Patterson, Smith, Williams, Wilson, Mr. President.

Noes, Anderson, Bailey, Davis, Herring.

Mr. Norris moved to amend Section 20, line 7, by striking out the words \$2,000 and inserting \$1,000, and

strike out "and when the title of real estate is not in issue."

Mr. Dennis amended Mr. Norris' amendment by making the salary of probate judges \$500 instead \$1,000. The amendment was carried by the following vote:

Ayes, Bailey, Barnes, Crawford, Dennis, Gates, Hartt, Hunt, Hereford, Jordan, Smith and Mr. President.

Noes, Alexander, Anderson, Cheyney, Davis, Herring, McDonald, Norris, Patterson, Williams and Wilson.

Mr. Alexander moved to amend Section 20 by striking out "and in proceeding for the collection of taxes and assessments." The amendment was lost by the following vote:

Ayes, Alexander, Williams, Mr. President.

Noes, Anderson, Bailey, Barnes, Crawford, Cheyney, Davis, Dennis, Gates, Hartt, Hunt, Herring, Hereford, Jordan, McDonald, Norris, Patterson, Smith, Wilson.

On motion of Mr. Dennis Section 5 was referred to a committee of five to be appointed by the President.

President Rowe appointed Messrs. Dennis, Williams, Anderson, Bailey, and Norris as such committee.

On motion the convention took a recess till 3 o'clock.

The convention was called to order at 3 o'clock, p. m., President Rowe in the chair.

Roll call showed all the members present but Gates.

Chairman Dennis, from the special committee, submitted the following report as a substitute for Section 20 of the Judicial Report.

Sec. 20. There shall be established in each county a probate court, which shall be a court of record open at all times and holden by one judge elected by the electors of the county, and whose term of office shall be two years.

Sec. 21. The probate court shall have original jurisdiction in all probate and testamentary matters, the appointment of administrators and guardians, the settlement of accounts of executors, administrators and guardians

and such other probate jurisdiction as is now or may be conferred by law; and in proceedings for the collection of taxes and assessments; provided that the Legislature may by local or general law, increase the jurisdiction of probate courts as follows, to-wit: By giving said court in any county concurrent jurisdiction with the district court in all actions at law, where the amount in controversy does not exceed one thousand dollars and where the title to real estate is not in question, and in all criminal actions below the grade of felony.

Sec. 22. Appeals from all matters of probate shall be to the district court where the trial shall be *de novo*.

Sec. 23. The qualifications of the judges of probate courts in counties where the jurisdiction of said probate shall have been increased shall be the same of those of a district judge, except that he shall be a resident of the county at the time of his election.

The substitute was adopted by the following vote:

Ayes, Anderson, Bailey, Barnes, Crawford, Cheyney, Davis, Dennis, Hartt, Hunt, Herring, McDonald, Norris, Patterson, Williams, Wilson, Mr. President.

Noes, Alexander, Hereford, Jordan, Smith.

Mr. Wilson offered the following amendment to Section 17 of the Judicial report: Amend by adding on line 1, after the words "supreme judges," "shall not be less than \$4,000 per annum." And on line 2 after the word "than" strike out \$4,000 and add in lieu thereof "\$3,600," so that the Section will read: "The compensation of the supreme judges shall not be less than \$4,000 per annum, and the district judges not less than \$3,600 per annum.

Mr. Smith moved to amend the amendment by inserting the following. "The salary of the supreme judges shall be \$4,000 per annum, and the salary of the district judges shall be \$3,500."

Mr. Wilson accepted the vote and it was adopted by the following vote:

Ayes, Alexander, Barnes, Crawford, Cheyney, Davis, Dennis, Hartt, Hunt, Herring, McDonald, Norris, Patterson, Smith, Wiscon.

Noes, Anderson, Bailey, Hereford, Jordan, Williams and Mr. President.

Alexander moved to strike out Sections 14 and 20 and insert the following amendment:

The district courts shall have original jurisdiction of law, equity, probate and original actions or proceedings where the offense is a felony or the fine may be \$200 or over.

Said courts shall have exclusive jurisdiction when the title to land is in dispute; or where the demand or value of the thing sought to be recovered is of the value of \$300 and upwards.

Said courts and the judges thereof shall have power to issue writs of habeas corpus, injunction, quo warranto, certiorari, mandamus, prohibition and all other remedial writs and to hear and determine the same, in term time or in vacation. The judge of said courts may hear and determine all probate matters at chambers, except applications for sales of real property or.....duly initiated which shall only be heard on due notice and in open court.

The clerks of the district courts shall have the powers of a judge at chambers in matters belonging exclusively to probate proceedings.

The amendment was lost by the following vote:

Ayes, Alexander.

Noes, Anderson, Bailey, Barnes, Crawford, Cheyney, Davis, Dennis, Hartt, Hunt, Herring, Hereford, Jordan, McDonald, Norris, Patterson, Smith, Williams, Wilson and Mr. President.

It was moved that the amended report of the committee be adopted as an Article of the Constitution, and it was carried by the following vote;

Ayes, Anderson, Barnes, Crawford, Cheyney, Davis, Dennis, Hartt, Hunt, Herring, McDonald, Norris, Patterson, Smith, Wilson, and Mr. President.

Noes, Anderson, Bailey Herreford, Jordan, Williams.

Mr. Norris took up the Article of Education and School Lands and offered the following amendment to Section 5 of said Article:

But the said Board shall cause to be appraised the permanent improvement made on any school lands, and the value of the land separately. When such land is sold the purchaser thereof in addition to the value of the land paid to the State, shall pay to the owner of such permanent improvements the amount of their appraised value. The owner of such permanent improvements shall have the option to become the purchaser of said lands at the highest offered price and on such terms as the Legislature may by general law provide.

The amendment was adopted by the following vote.

Yeas, Alexander, Anderson, Bailey, Barnes, Crawford, Cheyney, Dennis, Gates, Hartt, Hunt, Hereford, Jordan, McDonald, Norris, Patterson, Smith, Williams, Wilson, and Mr. President.

Noes, Davis and Herring.

On motion the report of the committee on Education and School Lands, as amended, was adopted as an Article of the Constitution, and was referred back to the committee on Phraseology and Arrangement.

On motion of Norris the convention resolved itself into committee of the Whole to consider the report of the committee on Revenue and Taxation, Mr. Dennis in the chair.

On motion of Norris the committee took a recess till 10 o'clock a. m., September 26.

W. A. ROWE,
President.

A. C. BERNARD,
Secretary.

PHOENIX, ARIZ., September 26th, 1891.

The committee of the Whole convened at 10 o'clock, Mr. Dennis in the chair, and the roll was called, and showed all the members present.

The committee rose, reported progress, and asked leave to sit again.

On motion the convention adjourned till 2 o'clock.

The convention was called to order at 2 o'clock p. m., President Rowe in the chair.

Roll call showed all the members present.

On motion of Mr. Norris the convention went into committee of the Whole for the consideration of the report of the committee on Revenue and Taxation, Mr. Dennis in the chair.

The committee rose and made the following report:

MR. PRESIDENT:—The committee of the whole have had under consideration the report of the committee on Revenue and Taxation, and now report same back amended and as amended recommend its adoption as an Article of the Constitution.

FOSTER S. DENNIS, Chairman.

Mr. Norris moved that the report of the committee on Revenue and Taxation as amended be adopted as an Article of the Constitution.

Mr. Alexander moved to amend Section 8 as follows:

Strike out Sections 8 and 9 and insert the following: "The duty of the State Board shall be also to adjust and equalize the valuations among the several counties of the State."

The amendment was lost.

Mr. Alexander offered the following amendment to the report by adding the following Section.

Sec. 15. All taxes, State and county, shall be due and payable in two equal payments at such times and in the manner as may be hereafter provided by the Legislature,

and no Board or officer, State or county, shall have power to extend the time of payment of said taxes.

The Section was lost by the following vote:

Ayes, Alexander, Hereford, Williams.

Noes, Anderson, Bailey, Barnes, Crawford, Cheyney, Davis, Dennis, Gates, Hartt, Hunt, Herring, Jordan, McDonald, Norris, Patterson, Smith, Wilson and Mr. President.

Mr. Norris submitted the following amendment in line 5: "Which shall be assessed by the local assessor in the several counties where situated," the amendment was adopted by the following vote:

Ayes, Anderson, Bailey, Barnes, Crawford, Cheyney, Dennis, Gates, Hartt, Hunt, Hereford, Jordan, McDonald, Norris, Patterson Smith, Rowe.

Noes, Alexander, Davis, Herring, Williams, Wilson.

The following additional section was submitted by Mr. Barnes:

Sec. 5½. There shall be annually assessed and collected in the same manner as other State revenue may be assessed and collected, and returned to the State Treasurer, a tax of one mill upon each dollar's worth of taxable property, in addition to all other taxes, to be applied as follows, viz: The fund so created shall be kept separate, and shall annually, on the first day of January, be apportioned and paid over pro rata upon all such State indebtedness as may for that purpose be presented by the holders of the same, to be entered as credit upon and to that extent, in extinguishment of the principal of said indebtedness. If no indebtedness be presented, the fund shall be devoted to extinguishment of the State debt, and shall be so paid or shall go into a sinking fund to be devoted to the extinguishment of the principal of the State debt. When sufficient money is accumulated in the sinking funds to liquidate outstanding indebtedness, this law shall cease to be operative, and there shall be annually assessed and collected in each county, whose debt exceeds

in the aggregate, \$50,000 in like manner, a tax of one mill, as aforesaid, the sum to be applied in the same way, in extinguishment of county debts. The Legislature may provide for the investment of any balances of the sinking funds in the hands of the State Treasurer, until the funds can be devoted to extinguishment of indebtedness.

Mr. Hereford offered the following amendment to Section 5½: "Provided, that in counties where bonds have been issued, and sold, for the redemption of which bonds a sinking fund has already been provided, the Board of Supervisors of said counties, shall have the option of excluding said bonds from the provisions of this Section. But no provisions for a sinking fund heretofore made to pay any indebtedness of this State or any of the counties herein, shall ever otherwise be abrogated."

The amendment was lost by the following vote:

Ayes, Bailey, Hereford, Jordan, Williams and Mr. President.

Noes, Alexander, Barnes, Crawford, Cheyney, Davis, Dennis, Gates, Hartt, Hunt, Herring, Jordan, McDonald, Patterson, Smith, Wilson.

The Section (5½) was then adopted.

Mr. Alexander offered an amendment to Section 5½, making it read one-half mill instead of one mill. The amendment was adopted.

Mr. Rowe moved to further amend the Section so as to make the State levy one-half mill instead of one mill. Lost.

On motion of Mr. Norris the Article was adopted as an Article of the Constitution.

On motion of Wilson the convention adjourned till September 28th, at 10 o'clock.

W. A. ROWE,
President.

A. C. BERNARD,
Secretary.

PHOENIX, ARIZ., September 28th, 1891.

The convention was called to order at 10 o'clock a. m., President Rowe in the chair.

Roll call showed all the members present except Barnes and Bailey.

The minutes of September 26th were read and approved.

A communication from Major J. W. Powell was read. Herring moved that it be printed. Carried.

Mr. Cheyney submitted a memorial to the President of the United States asking that Whipple Barracks be not abandoned. Mr. Herring moved that the President of the convention be authorized to sign the memorial on behalf of the convention. Carried.

A petition from certain citizens of Pima county was presented by W. A. Hartt, and referred to committee on Bill of Rights.

Moved by Herring to amend Rule 46 and have all reports printed and returned to the House as soon as possible instead of within three days. Carried.

McDonald, from the committee on Schedule and Submission, presented his report which was ordered printed.

Mr. Wilson submitted an Article on Homestead Exemption, which was read and referred to the committee on Legislative Department.

Mr. Williams submitted an Article on Homestead Exemption, and one on Public Health, both of which were read and referred to the Legislative committee.

Mr. Hartt offered the following resolution: To have a select committee of five appointed on water and its uses, consisting of one member from each of the five counties mostly interested in irrigation, viz: Maricopa, Yuma, Pinal, Graham and Pima.

The motion was carried by the following vote: Ayes, Alexander, Anderson, Cheyney, Davis, Hartt, Herring, McDonald, Norris and Mr. President.

Noes, Crawford, Dennis, Hereford, Jordan, Patterson, Smith, Williams and Wilson.

The following committee was appointed in pursuance of the motion: Hartt, Patterson, Gates, Alexander and Davis.

On motion the convention resolved itself into committee of the Whole for the consideration of the report of the committee on Executive Department and County Government with Mr. Dennis in the chair.

The committee rose and reported the Article back, amended.

On motion the Article was adopted as an Article of the Constitution.

On motion the convention went into committee of the Whole for the consideration of the report of the committee on Federal Relations, Mr. Dennis in the chair.

The committee rose and reported the Article back, amended, and asked its adoption.

It was moved that the Article be adopted as an Article of the Constitution. Carried.

On motion Cochise county was added to the five counties interested in irrigation, and Mr. Cheyney was added to the committee.

On motion the convention adjourned till 2 o'clock.

The convention was called to order at 2 o'clock p. m., President Rowe in the chair.

On motion of Mr. Wilson the convention adjourned till 10 o'clock, September 29th.

W. A. ROWE,
President.

A. C. BERNARD,
Secretary.

PHOENIX, ARIZ, September 29, 1891.

The convention was called to order at 10 o'clock a. m., President Rowe in the chair.

Roll call showed all the members present except Hereford and Bailey.

The minutes of September 28th were read and approved.

Mr. Smith submitted a report of the Legislative committee on Homestead Exemption, etc. The committee reported adversely on the proposition; placed on the calendar subject to being called.

Mr. Hartt, from the special committee on water, submitted his report.

Mr. Davis reported a minority report from said committee.

The report of the majority was read.

The minority report was read and both were referred to the committee of the Whole.

On motion the convention went into committee of the Whole to consider the report of the special committee on water; amended by Mr. Barnes: "To consider also the report of the committee on Bill of Rights." Mr. Barnes' amendment was carried.

The committee rose and reported as follows:

MR. PRESIDENT:—The committee of the Whole have had under consideration the report of the committee on Preamble, etc., on water, and now report same back amended, and as amended recommend its adoption as an Article of the Constitution.

FOSTER S. DENNIS, Chairman.

Section 1 of the report was then read.

Herring moved to strike out the Section and adopt his substitute therefor. The motion was lost by the following vote:

Ayes, Alexander, Cheyney, Davis, Hartt, Herring.

Noes, Anderson, Barnes, Crawford, Dennis, Gates, Hunt, Hereford, Jordan, McDonald, Norris, Patterson, Smith, Williams, Wilson and Mr. President.

Mr. Davis moved to strike out the Section and submitted his amendment. The motion was lost by the following vote:

Ayes, Alexander, Anderson, Cheyney, Davis, Hartt, Herring.

Noes, Barnes, Crawford, Dennis, Gates, Hunt, Hereford, Jordan, McDonald, Norris, Patterson, Smith, Williams, Wilson and Mr. President.

It was moved that the Section be adopted. Carried.

On motion Section 3 was adopted.

Mr. Williams moved to strike out the word "unappropriated" and insert "surplus" in Section 4. The amendment was carried.

The Section as amended was adopted.

Section 5 was read and Mr. Davis offered an amendment to the Section, which was lost.

Section 5 was adopted as reported.

Mr. Davis offered a substitute for Section 6, which was lost by the following vote:

Ayes, Alexander, Anderson, Cheyney, Davis, Hartt, Herring.

Noes, Barnes, Crawford, Dennis, Gates, Hunt, Hereford, Jordan, McDonald, Norris, Patterson, Smith, Williams, Wilson and Mr. President.

Section 6 was then adopted as read.

Section 7 was read and Mr. Barnes offered the following amendment: "To strike out 'said district shall consist of one or more counties or less.'"

The amendment was adopted.

Mr. Jordan offered an amendment which was lost by the following vote:

Ayes, Alexander, Jordan, Williams.

Noes, Anderson, Barnes, Crawford, Cheyney, Davis, Dennis, Gates, Hartt, Hunt, Herring, Hereford, McDonald, Norris, Patterson, Smith, Wilson and Mr. President.

Mr. Herring moved to strike out Section 7 and insert the amendment offered by him before the committee of the Whole together with the amendment of Mr. Barnes.

The amendment was carried by the following vote:

Ayes, Alexander, Anderson, Barnes, Crawford, Cheyney, Davis, Dennis, Gates, Hartt, Hunt, Herring, Here-

ford, McDonald, Norris, Patterson, Smith, Williams, Wilson and Mr. President.

On motion Section 7 was adopted.

Section 8 was read and Mr. Williams moved to strike out all after the words "subterranean sources." Mr. Barnes further amended the Section, striking out the first line, and adding "shall not be subject to Legislative control."

On motion the convention took a recess till 7 o'clock p. m., September 29th.

The convention convened at 7 o'clock, President Rowe in the chair.

Mr. Williams withdrew his amendment and moved to strike out Section 8. Carried.

Section 9 was taken up, and Mr. Barnes moved to strike out the words "suitable penalties," and the amendment was carried.

On motion of Mr. Barnes Section 9 was adopted.

Mr. Jordan asked and obtained consent to return to Section 7, and then offered a substitute for said Section.

The substitute was lost and Section 7 adopted.

Mr. Anderson submitted the following as a new Section to the Article:

The Legislature shall have power to create irrigation districts and provide for commissioners therein. The duties and salaries of said commissioners shall be prescribed by law."

The amendment was lost by the following vote:

Ayes, Anderson, Davis, Gates, Hartt and Mr. President.

Noes, Barnes, Crawford, Cheyney, Dennis, Hunt, Herring, Hereford, Jordan, McDonald, Norris, Patterson, Smith, Williams, Wilson.

Mr. Cheyney offered the following as a substitute for the entire report of the committee:

PUBLIC WATERS.

SECTION 1. The waters of all natural lakes and streams within the State of Arizona, capable of being used for the purposes of navigation or irrigation, are hereby declared the property of the State, and shall be controlled by the State for beneficial use by the people.

SEC. 2. The common law doctrine of riparian rights shall not apply in the State of Arizona.

SEC. 3. The Legislature shall prescribe the mode and manner of acquiring and exercising the right to the appropriation and use of water.

SEC. 4. The right to water heretofore lawfully appropriated to beneficial uses shall never be denied, and priority of appropriation shall give the better right.

The substitute was lost.

Mr. Smith moved as a substitute the report of the following Article.

The substitute was lost.

Mr. Barnes moved that the Article as amended be adopted as an Article of the Constitution. The motion was carried by the following vote:

Ayes, Barnes, Crawford, Dennis, Gates, Hunt, Jordan, Smith, McDonald, Patterson, Williams, Wilson and Mr. President.

Noes, Anderson, Cheyney, Davis, Hartt, Herring, Hereford, Norris.

On motion the convention adjourned till 10 o'clock a. m., September 30th.

W. A. ROWE,
President.

A. C. BERNARD,
Secretary.

PHOENIX, ARIZ., September 30th, 1891.

The convention was called to order at 10 o'clock a. m., President Rowe in the chair.

Roll call showed all the members present except Mr. Bailey.

The minutes of September 29th were read and approved.

Mr. Smith asked permission to change his vote on the final passage of the Article on water which was granted and the vote was ordered changed.

A communication from R. J. Hinton asking for all data of the convention pertaining to irrigation was read and the Secretary was instructed to furnish the desired information.

Mr. Hartt submitted the following Article:

"No member of this Constitutional convention shall, for the period of two years after the adoption of the State Constitution, by Congress, be eligible to any public office of emolument which is elective by the people or the Legislature."

On motion the Article was referred to the committee on Education and School Lands.

The report of the committee on Legislative Department was read and a motion was made to adopt as an Article of the Constitution.

Mr. Wilson submitted a substitute for the report of the committee, regulating Homestead Exemption.

Mr. Alexander offered another amendment to the report, making \$4,000 the maximum of exemption.

The amendment of Mr. Wilson was lost by the following vote:

Ayes, Barnes, Cheyney, Davis, Dennis, Hartt, Herring, Jordan, Norris, Wilson.

Noes, Alexander, Anderson, Crawford, Gates, Hunt, Hereford, McDonald, Patterson, Smith, Williams and Mr. President.

Mr. Alexander's amendment was adopted by the following vote.

Ayes, Alexander, Cheyney, Davis, Gates, Hartt, Herring, Hereford, Jordan, Norris, Williams, and Mr. President.

Noes, Anderson, Barnes, Crawford, Dennis, Hunt, McDonald, Patterson, Smith, Wilson.

Mr. Barnes, moved to strike out the entire section, the motion was lost by the following vote: Ayes, Anderson, Barnes, Crawford, Dennis, Hunt, McDonald, Patterson, Wilson.

Noes, Alexander, Cheyney, Davis, Gates, Hartt, Herring, Hereford, Jordan, Norris, Smith, Williams and Mr. President.

Mr. Barnes moved to strike out the words "heads of families," and the motion was lost by the following vote:

Ayes, Barnes, Crawford, Dennis, Patterson, Wilson and Mr. President.

Noes, Alexander, Anderson, Cheyney, Davis, Gates, Hartt, Hunt, Herring, Hereford, Jordan, McDonald, Norris, Smith and Williams.

The Article as amended was adopted as an Article of the Constitution by the following vote:

Ayes, Alexander, Cheyney, Davis, Gates, Hartt, Hunt, Herring, Hereford, Jordan, McDonald, Norris, Smith, Williams.

Noes, Anderson, Barnes, Crawford, Dennis, Patterson, Wilson, and Mr. President.

On motion of Mr. McDonald the convention resolved itself into committee of the Whole to consider the report of the committee on Schedule and Submission with Mr. Dennis in the chair.

On motion the committee rose for the purpose of receiving the report of the committee on Phraseology and Arrangement from its Chairman, Mr. Hereford.

On motion the convention took a recess till 2 o'clock.

The convention re-convened at 2 o'clock, President Rowe in the chair.

Roll call showed all present but Mr. Bailey.

Barnes moved that a committee of 7 be appointed on memorial and address to the people, of which President Rowe should be Chairman. Carried.

Mr. Williams moved a reconsideration of the Exemption and Homestead Article. It was so ordered, and Mr. Barnes moved that the entire Section be stricken out; withdrawn, and the entire report was placed on the calendar to be acted upon at will.

On motion the convention resolved itself into committee of the Whole to consider the Article on Schedule and Submission, Mr. Dennis in the chair.

The committee rose and reported as follows:

MR. PRESIDENT:—Your committee have had under consideration the report of the committee on Schedule and Submission, and have amended the same, and as amended recommend its adoption.

FOSTER S. DENNIS, Chairman.

On motion the Article was adopted as an Article of the Constitution.

Mr. Cheyney, from the committee on Education and School Lands, submitted the following reports:

To the President of the Constitutional Convention:

A minority of your committee on Education and School Lands having under consideration the Article in relation to the eligibility of the members of the Constitutional Convention to office, beg leave to report the Article favorably, and recommend its adoption.

GEO. W. CHEYNEY, Chairman,
THOMAS DAVIS.

MR. PRESIDENT:—A majority of your committee on Education and School Lands having under consideration an Article on the eligibility of members of the Constitutional Convention to office, return the same and respectfully recommend that it be not adopted.

FRANK H. HEREFORD,
THOMAS GATES,
BEN. M. CRAWFORD.

ARTICLE.....

Sec. No person of this Constitutional Convention shall for the period of two years after the adoption of the State Constitution by Congress be eligible to any public office of emolument which is elective by the people or the Legislature.

The reports were indefinitely postponed by the following vote:

Ayes, Alexander, Anderson, Barnes, Crawford, Dennis, Gates, Hereford, Jordan, McDonald, Norris, Patterson, Williams, Wilson and Mr. President.

Noes, Cheyney, Davis; Hartt, Herring.

Mr. Smith asked to be excused from voting on the above motion which request was granted.

Mr. Cheyney returned Mr. Poston's proposition and it was filed as a part of the records of the convention.

On motion the convention adjourned till October 1st, at 10 a. m.

W. A. ROWE,
President.

A. C. BERNARD,
Secretary.

PHOENIX, ARIZ., October 1st, 1891.

The convention was called to order at 10 o'clock a. m., President Rowe in the chair.

Roll call showed all the members present except Mr. Bailey.

The minutes of September 30th were read and approved.

Mr. Hunt, from the committee on Ways and Means, submitted the expense bill of the session and moved the adoption of the report. Carried.

Mr. Barnes moved that the committee on Memorial and Address be authorized to attend to the printing of Constitution, distribution, etc.

Mr. Alexander offered the following resolution:

"Resolved, That the committee on Printing be authorized to contract for the printing and publishing 20,000

copies of the Constitution for distribution and submission to the voters of the Territory for their acception or rejection; that they report to this convention the contract and expense of such printing for their action." Carried.

The Article on Homestead and Exemption was taken from the table; Mr. Barnes moved to indefinitely postpone the Article, which was carried by the following vote:

Ayes, Alexander, Anderson, Barnes, Crawford, Cheyney, Dennis, Hartt, Hunt, McDonald, Norris, Patterson, and Mr. President.

Noes, Davis, Gates, Jordan, Smith, Williams and Wilson.

The Article on Forestry was considered by the Legislative committee.

The committee on Phraseology and Arrangement made a partial report which was read.

Article I, Bill of Rights, was read and found correctly engrossed.

The Articles on Legislative Department, Corporations and Suffrage were read and found correctly engrossed.

On motion the convention adjourned till 2 o'clock, p. m.

The convention was called to order at 2 o'clock p. m. President Rowe in the chair.

Mr. Hereford, from the committee on Phraseology and Arrangement, submitted an Article on Amendments to the convention.

Mr. Smith moved the adoption of the Article as an Article of the Constitution.

Mr. Herring moved to strike out two-thirds and substitute, "majority of the Legislature." The amendment was carried by the following vote:

Ayes, Alexander, Barnes, Cheyney, Davis, Dennis, Hartt, Hunt, Herring, Hereford, Jordan, McDonald, Wilson and Mr. President.

Noes, Anderson, Crawford, Gates, Norris, Patterson, Smith and Williams.

On motion of Mr. Smith the report was adopted as an Article of the Constitution and referred to the committee on Phraseology and arrangement.

Mr. Cheyney, from the committee on Education and School Lands, made his final report and the committee was discharged.

The Articles on Executive Department, Education and School Lands, and on the Seat of Government, Great Seal, etc., were read and found correctly engrossed.

On motion of Mr. Williams the Constitution of the United States was adopted by a rising vote.

President Rowe appointed the following gentlemen to constitute the committee on Memorial and Address, of which he is chairman: Messrs. Williams, Hereford, Cheyney, Wilson, Barnes and Alexander.

On motion the convention adjourned till October 2nd, at 10 o'clock.

W. A. ROWE,
President.

A. C. BERNARD,
Secretary.

PHOENIX, ARIZ., October 2, 1891.

The Convention called to order at 10 o'clock a. m., President Rowe in the chair.

Roll call showed all the members present except Bailey and Cheyney.

The minutes of October 1st were read and approved.

Mr. Barnes moved that the vote whereby the Article on Amendments to the Constitution was adopted be reconsidered, and it was carried.

Mr. Barnes then moved the following amendment to Section 3 of the Article: To insert "they shall submit the proposition to the next Legislature, and if a majority elected to each branch of the Legislature shall concur therein." The amendment was adopted and the Article was adopted as an Article of the Constitution.

Mr. Smith, from the committee on Legislative Department made the following report:

ARTICLE.....

The Legislature shall enact laws to prevent the destruction of and to preserve the forests on the lands of the State, and upon any part of the public domain the control of which may be conferred by Congress upon the State.

MR. PRESIDENT:—Your committee to whom was referred the above Article on Forestry, introduced by Mr. Jordan, have had same under consideration and recommend its adoption.

M. A. SMITH, Chairman.

ARTICLE.....

LABOR.

Eight hours shall constitute a day's labor on all State works.

MR. PRESIDENT:—Your committee on Legislative Department, to whom was referred File No. 27, introduced by Mr. Herring, in relation to labor hours, have had the same under consideration and have prepared a substitute therefor, which is herewith presented with a recommendation that the substitute be adopted.

M. A. SMITH, Chairman.

The report was accepted and the Articles adopted as Articles of the Constitution.

The Articles on Judiciary, Revenue and Taxation, Water Rights, etc., Schedule and Submission, Forestry, State Labor, Corporations and Amendments to the Constitution were then read.

Mr. Anderson moved to amend the Article on Schedule and Submission, Section 3, line 5, by striking out the words "in joint session." Carried.

On motion the convention voted to adjourn *sine die* at 12 o'clock noon, October 3rd, 1891.

The convention took a recess till 4 o'clock, October 2.

The convention was called to order at 4 o'clock p. m., President, Rowe in the chair.

Mr. Hereford, Chairman, of the committee on Revision, presented the convention with the Constitution engrossed, and moved that it be adopted as the Constitution of Arizona; the motion was carried by the following vote: Ayes, Alexander, Barnes, Crawford, Davis, Dennis, Gates, Hartt, Hunt, Hereford, Jordan, McDonald, Norris, Patterson, Williams, Wilson and Mr. President.

Noes, Herring.

Mr. Herring submitted the following protest against the Constitution:

HALL OF THE CONSTITUTIONAL CONVENTION,
TERRITORY OF ARIZONA,
PHOENIX, ARIZ., October 2nd, 1891. }

The undersigned, a member of this Constitutional Convention, hereby respectfully requests that this protest and dissent against the adoption of the Constitution framed and adopted by the vote of this convention; and he especially and particularly protests and dissents against the Articles enumerated in said Constitution by the numbers 10 and 18 respectively; the former being in relation to the Suffrage and the latter being in relation to Water and Water Rights. The right to decide upon the right to suffrage has, from the organization of the Territory, been vested in the Legislature. The liberal legislation of Congress placed it there, and the undersigned cannot assent to an act which restricts the rights conferred by Congress.

The departure from the principal set forth in the Territorial "Bill of Rights," evidenced by Article 18 of the Constitution in relation to Water-Rights is deemed by the undersigned unsound and dangerous to the rights of the people and will operate to the advantage of corporations and against the owners and occupants of lands.

Very Respectfully Submitted,

WILLIAM HERRING.

On motion of Mr. Barnes the roll was called and the members came forward and signed the Constitution, commencing with the President.

Mr. Williams of the committee on Printing submitted a verbal report.

Mr. Wilson moved that the committee on Printing order 5,000 copies of the Constitution in pamphlet form to cost \$475, to be sent to the delegates of this convention for distribution among the people. Mr. Williams moved to amend by substituting the Memorial committee instead of the Printing committee. Carried.

Mr. Alexander offered the following resolution:

Resolved, That the sum of \$40 be allowed to any newspaper published in the Territory which will publish in such paper and distribute to their subscribers, a copy of the Constitution as adopted by this convention.

Mr. Williams offered a substitute leaving the details of such publication to the committee on Memorial and Address, and also the publication of 500 copies of the journal. Adopted.

Mr. Dennis submitted the following memorial:

To the President of the United States:

Whereas, the Atlantic and Pacific Railroad Company is the owner of a land grant consisting of every alternate section of public land, not mineral, designated by odd numbers to the amount of twenty alternate sections per mile on each side of said railroad (and where said land should be mineral, or otherwise appropriated, to lieu lands in place thereof) within this Territory, the railroad passing through the counties of Apache, Coconino, Yavapai and Mohave, and extending from the New Mexico line on the east, to the State of California on the west, a distance of some four hundred miles; and

Whereas, by act of Congress, unsurveyed railroad grant lands are not subject to taxation; and

Whereas, both the people and the railroad company are agreed that public policy requires, and justice to private rights demand that said land be speedily surveyed.

Therefore, you are respectfully, but urgently requested to make an order for the survey of said lands that thereby the growth and development of the section of our Territory in which these lands are situated may be promoted and advanced and a just and reasonable tax may be imposed on said lands, thereby securing to the Territory and the various counties through which said railroad passes, a fixed and certain revenue to be derived therefrom.

The foregoing was adopted by the Constitutional Convention as the sense of said convention, and we, the President and Secretary of said convention, have been directed to sign same and forward to the President of the United States.

The memorial was adopted unanimously.

Mr. Davis offered the following which was adopted:

The distribution of the Articles of the Constitution among the several counties shall be as follows: Maricopa county, 500; Pima, 500; Cochise, 400; Yavapai, 500; Mohave, 300; Pinal, 300; Graham, 400; Apache, 300; Cocorino, 300; Yuma, 300; Gila, 300. And the remaining 900 copies delivered to the Secretary of the Territory; and that the expense of distributing same be incidental to the Territory.

It was moved and carried that the President and Secretary be authorized to secure such clerical service as may be needed to preserve the records of this convention.

Mr. Dennis offered the following resolution which was adopted by a rising vote:

Resolved, That the thanks of this body are hereby tendered to Hon. N. O. Murphy, Acting Governor of Arizona, for his many acts of kindness to this convention and particularly for the free use of the Legislative Halls in which the deliberations of this convention have been held,

thus saving the Territory a large expenditure for hall rent, furniture, etc. And be it further

Resolved, that this expression be spread on the minutes of this convention.

On motion of Mr. Norris a vote of thanks was tendered to the President of the convention, the clerks, and the Sergeant-at-arms. Carried.

Moved that the convention adjourn till October 3rd, at 10 o'clock.

W. A. ROWE,
President.

A. C. BERNARD,
Secretary.

PHOENIX, ARIZ., October 3rd, 1891.

The convention was called to order at 12 o'clock m., President Rowe in the chair.

The minutes of October 2nd were read and approved.

Roll call showed all the members present except Mr. Bailey.

There being no further business before the convention President Rowe stated that a motion to adjourn *sine die* would be in order.

Mr. Smith arose and addressed the convention in support of the Constitution, as did also Col. Wilson, Col. Herring, Mr. Williams and others.

When speaking had ceased three rousing cheers were given for the new Constitution and the new State of Arizona.

On motion of Mr. Smith the Constitutional Convention stood adjourned *sine die*.

W. A. ROWE,
President.

A. C. BERNARD,
Secretary.

- Maricopa: ✓ M. N. Williams
- ✓ H. M. Alexander
- ✓ J. C. Jordan
- Pima: ✓ W. H. Barnes
- ✓ Frank Hereford
- ✓ W. A. Hartt
- Cochise: ✓ M. A. Smith
- ✓ Tom Herring
- ✓ Geo. W. Cheyney
- Yavapai: ✓ W. A. Rome
- ✓ J. F. Wilson
- xx F. A. Trille
- Graham: ✓ A. M. Patterson
- ✓ Ben Crawford
- ✓ Art McDonald
- Apache: ✓ John Hunt
- ✓ J. W. Anderson
- Pinal: ✓ Thos. Davis
- ✓ Thos. Gates
- Yuma: ✓ Alonzo Baidley
- Gila: ✓ Fste. Dennis
- Mohave: ✓ J. G. Norris
- Cocconino

Message of Gov. L. P. Hughes to 17th Legislature
voiced hope that the Constitution would be fully
followed by Statehood. *Legislative Journal* 1891, p. 14

* Present second day
xx Dropped from roll call second day