

THE MONTANA POST.

A Newspaper, Devoted to the Mineral, Agricultural and Commercial Interests of Montana Territory.

D. W. TILTON & CO., Publishers and Proprietors.

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THE MONTANA POST.

D. W. TILTON & CO., Publishers and Proprietors.

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LEGISLATURE--THIRD SESSION.

House of Representatives.

VIRGINIA CITY, Nov. 5th—12 M.

Gen. Meagher, Secretary of the Territory, called the House to order, and read the proclamation of Gov. Smith, declaring that certain persons had been duly elected members thereof.

On motion of Mr. Mayhew of Deer Lodge, Mr. Smith of Beaverhead was elected Speaker pro tem.

On motion of Mr. Mims of Edgerton, A. H. Barret was elected Clerk pro tem.

On motion of Mr. Mayhew, Rocky Thomas was elected Sergeant-at-Arms pro tem.

On motion of Mr. McCullough of Madison, Wm. Deasey was elected Doorkeeper pro tem.

A committee of three, consisting of Messrs. Mayhew, McCullough and Buck, was appointed to examine and report upon the credentials of the members.

The House then adjourned to meet at 2 o'clock p. m.

AFTERNOON SESSION.

The House met pursuant to vote, Mr. Smith of Beaverhead in the chair.

Mr. Mayhew, chairman of the Committee on Credentials, submitted a report, which was adopted on motion of Mr. Johnson of Missoula.

The oath of office was then administered to the members by Judge Stafford of Virginia.

The roll was called by the clerk, and a quorum answered to their names.

The House then proceeded to vote viva voce for a Speaker, with the following result: 1st ballot—A. E. Mayhew, 10; J. H. Rogers, 7; R. W. Mims, 4.

There being no choice, the House proceeded to a second ballot: Mayhew, 13; Rogers, 4; Mims, 4.

Mr. Mayhew having received a majority of the votes cast, was elected.

The following members voted for Mr. Mayhew: Messrs. Blakely, Buck, Clanton, Eler, Gorham, Johnson, Jordan, McManus, McCurtury, Roach, Rogers, Smith and Wylie.

Messrs. Donegan, Mayhew, McCullough and Mims, voted for Rogers.

Messrs. Andrews, Gallagher, Rhodes and Van Hagan, voted for Mims.

Mr. Mayhew was conducted to the chair by Messrs. Rogers and Mims, and accepted the position in an appropriate speech, in which he declared his intention to perform his duties impartially.

The House then elected A. H. Barret, Clerk; J. K. Duke, Assistant Clerk; Robert Hodges, Engrossing Clerk; Jesse McCallen, Enrolling Clerk; Rocky Thomas Sergeant-at-Arms; W. Deasey, Doorkeeper; E. Wood, Fireman; D. Andrews and Albert Crow, Pages.

On motion of Mr. Smith the rules of the House of the previous Legislature were adopted, until others are enacted.

The House voted to elect a Chaplain, and Hugh Duncan was chosen.

On motion of Mr. McCullough the thanks of the House, the Council concurring, were tendered to Secretary Meagher for the commodious and neatly fitted rooms that have been provided for the use of the House and Council.

A committee of three, consisting of Messrs. Smith, Buck and Gallagher, was appointed to wait upon the Council and request that body to meet with the House to-morrow at 10 o'clock a. m. to hear the Governor's message.

On motion of Mr. McCullough of Madison, it was voted that any member who shall receive a fee for performing any of his duties, shall be subject to expulsion from the House.

On motion of Mr. Smith, it was voted that the reporters of the press of the Territory be allowed seats in the House to-morrow at 10 o'clock a. m.

On motion of Mr. McCullough, a committee of three was appointed to wait upon the Governor and notify him that the House had organized.

The House then adjourned to meet at 10 o'clock a. m. to-morrow.

COUNCIL.

At 12 M. Secretary Meagher called the Council to order, after reading Governor Smith's proclamation convening the same. The members were sworn into office by Judge William Y. Lovell, and took their seats.

On motion of Mr. Waterbury, Mr. Wilkinson was elected President pro tem, and Judge Lovell as Clerk pro tem.

On motion of Mr. Chiles, J. B. Caven was elected Sergeant-at-Arms pro tem.

E. S. Calhoun was elected Assistant Clerk pro tem.

Proceeding to business, on motion of J. M. Waterbury, Hon. Charles S. Baggs was elected by acclamation as President of the Council, and conducted to the chair by a committee composed of Messrs. Chiles, Waterbury and Brown.

The Council was then organized by selecting from a host of candidates the following permanent officers: Chief Clerk, William Y. Lovell; Assistant Clerk, Charles E. V. Lovejoy; Engrossing Clerk, C. C. Menagh; Enrolling Clerk, F. W. A. Cunningham; Sergeant-at-Arms, J. B. Caven; Doorkeeper, Henry Catter; Fireman, Sylvester Chamberlain; Page, Master Johnny Daley.

On motion the President appointed Messrs. Williamson, Moore and Orr a committee to inform the House of the permanent organization of the Council.

On motion Messrs. Chiles, Phelps and Waterbury were appointed a committee to report rules for the government of the Council.

On motion of Mr. Waterbury, the Council adjourned until to-morrow at 10 o'clock a. m.

House of Representatives.

SECOND DAY—Nov. 6, 1866.

The House was called to order at 10 o'clock a. m. Speaker Mayhew in the chair, and a quorum answered to their names.

On motion of Mr. Mims a committee of three, consisting of Messrs. Mims, Smith and Johnson, was appointed to prepare rules for the House.

Mr. McCurtury of Deer Lodge, presented the remonstrance of Joseph A. Brown of Beaverhead, against the right of Mr. Essler to hold his seat, and claimed that he was duly elected to the same.

Messrs. Andrews, Smith and McCurtury were appointed a committee to report upon the matter, with power to send for persons and papers.

Messrs. Smith, Wylie and Van Hagan were appointed to wait upon the Council and inform them that the House was organized.

A communication was received from Secretary Meagher, informing the House that he had appointed John P. Bruce to execute the printing that would be required by the Legislature.

Mr. Mims gave notice that he would introduce a bill for regulating the sale of mules and other animals, and one for creating the office of District Attorney in each county.

On motion of Mr. Andrews, the House reconsidered the vote by which Mr. McCullough's resolution relating to the bribery of members was adopted. Ayes 13, noes 3. The resolution was then laid upon the table; ayes 16, noes 4, and subsequently taken therefrom and rejected.

A committee from the Council, of which Mr. Chiles was Chairman, reported that that body would meet the House in joint convention at 2 o'clock p. m.

Mr. McCullough introduced a bill to repeal the law relating to trout fishing, passed by the Bannack Legislature.

A communication was received from Secretary Meagher, notifying the House that each member would be furnished with six copies of the Gazette and six copies of the Democrat per week.

After considerable discussion upon a resolution relating to the printing of the Clerk's record, it was withdrawn because Secretary Meagher desired to communicate his views.

The House then adjourned.

AFTERNOON SESSION.

The House met at 1 1/2 o'clock p. m. Speaker Mayhew in the chair.

The Speaker announced the following Committees:

Ways and Means—Buck, Blakely and Gorham.

Judiciary—McCurtury, McCullough and Smith.

Internal Improvements—Rogers, Owen and Van Hagan.

Finance—Gorham, McCurtury and Blakely.

Public Lands—Owen, Gallaher and Jordan.

Federal Relations—Rogers, McCurtury and McCullough.

Education—Mims, Roach and Johnson.

Roads and Bridges—Andrews, Jordan and Van Hagan.

Towns and Counties—Van Hagan, Buck and McManus.

Military Affairs—Donegan, Essler and Van Hagan.

Incorporations—McCullough, Wylie and Smith.

Agriculture and Manufactures—Wylie, Clanton and Rhodes.

Elections—Andrews, Blakely and Donegan.

Indian Affairs—Johnson, Owen and Wylie.

Mines and Minerals—Rhodes, Donegan and Essler.

Engrossment and Enrollment—Smith, Rogers and Clanton.

Enrollment—Donegan, Johnson and Wylie.

Printing—Andrews, McManus and Blakely.

On motion of Mr. Buck of Jefferson, one hundred copies of the list of the committees was ordered to be printed for the use of members.

On motion of Mr. — of —, Mr. Brown of Beaverhead was allowed to have a seat in the House while he is contesting the right of Mr. Essler to the same.

At 2 o'clock the Council entered the House, and President Baggs assumed the chair of the joint convention.

On motion of Speaker Mayhew, Messrs. Mayhew, Rogers and Waterbury were appointed a committee to wait upon the Governor, and inform him that the two Houses were assembled in joint session. They returned with Governor Smith, who delivered his message, which may be found in the Post.

On motion of Mr. Waterbury of Edgerton, two thousand copies of the Governor's message was ordered to be printed.

Yeas 21, nays 12. Speaker Mayhew having suggested that this vote was illegal, because each branch should act upon the question, the matter was laid upon the table. At 3 o'clock p. m., on motion of Speaker Mayhew, the convention dissolved.

On motion of Mr. Smith of Beaverhead, two thousand copies of the Governor's message were ordered to be printed for the use of the House.

On motion of Mr. Mims, the Governor's message was specially assigned for consideration at 2 o'clock p. m. on the 7th.

Council.

The Council met pursuant to adjournment, at 10 o'clock p. m. Roll called and all present. Record of the previous day read and approved.

The President announced the Standing Committees as follows:

Ways and Means—Waterbury, Brown and Wilson.

Judiciary—Spratt, Wilkinson and Phelps.

Internal Improvements—Tuttle, Moore and Orr.

Public Lands—Moore, Brown and Chiles.

Federal Relations—Orr, Lowry and Spratt.

Education—Chiles, Lowry and Galloway.

Towns and Counties—Wilson, Galloway and Tuttle.

Military Affairs—Lowry, Moore and Chiles.

Incorporations—Brown, Phelps and Waterbury.

Agriculture—Moore, Tuttle and Orr.

Elections—Galloway, Lowry and Chiles.

Indian Affairs—Lowry, Brown and Moore.

Mines and Minerals—Galloway, Phelps and Spratt.

Engrossment—Phelps, Chiles and Wilson.

Enrollment—Chiles, Waterbury and Wilkinson.

Printing—Wilkinson, Wilson and Brown.

Adopted.

Mr. Chiles gave notice that on to-morrow, or some subsequent day, he would introduce a bill entitled "An Act to regulate and license foreign miners."

On motion of Mr. Waterbury, the Council took a recess until 1 1/2 p. m.

AFTERNOON SESSION.

The Council met pursuant to adjournment. Roll called and all present.

On motion of Mr. Chiles, the ladies of this city were invited to attend the deliberations of the Council and be allowed a seat within the bar.

Mr. Spratt gave notice of the introduction of an act entitled, "An Act in relation to contracts, bonds, bills of exchange, and promissory notes."

Mr. Waterbury gave notice of the introduction of an act concerning corporations, commonly known as a general incorporation act.

The Council then adjourned to meet in the hall of the House at 2 o'clock p. m., for the purpose of a joint convention to receive the message of the Governor.

Upon the adjournment of the joint convention, the Council assembled in their Hall and was again called to order by the President. Roll called and all present.

On motion of Mr. Moore, a committee of three was appointed to confer with a committee of the House, to prepare and recommend a series of joint rules for the government of the convention.

The President appointed Moore, Phelps and Brown such committee.

Mr. Spratt offered the following resolution:

Resolved, by the Council, the House concurring, That a committee of two from the Council and three from the House, be appointed, whose duty it shall be to consider the propriety of adopting a civil practice act for this Territory.

Adopted.

Mr. Spratt moved a reconsideration. Carried.

Mr. Chiles moved a suspension of the rules. Carried.

The resolution was then read and passed to the second reading by its title, and the third reading being had the same was passed by a vote of twelve yeas to one nay.

On motion of Mr. Waterbury the Council declared in favor of another Page.

On motion of Mr. Waterbury, Marshall Orr was unanimously elected second page to the Council.

On motion the Council adjourned to 10 a. m. to-morrow.

THIRD DAY—NOV. 7.

The House convened at 10 o'clock a. m., speaker Mayhew in the chair.

The journal was read and approved.

Mr. Mims from the Committee on Rules, reported in favor of the adoption of those used by the second Legislature, with a few amendments.

The House then went into Committee of the Whole on the report, Mr. McCullough in the chair. After making some changes, the report was adopted and the committee rose, on motion of Mr. Johnson of Missoula.

The House then adjourned at 12 m.

AFTERNOON SESSION.

The House met at 2 o'clock p. m., speaker Mayhew in the chair.

Mr. Mims introduced a bill regulating the sale of mules, horses and other animals, and requiring auctioneers to keep a registry of the same. It was referred to the Committee on the Judiciary.