## MONTANA LEGISLATURE

### EXTRA SESSION.

#### Fourth Day.

COUNCIL.

December 18th.

Morning.

Baggs introdnced C B No 4, an act to amend an act entitled "An act regulating the fees of officers,jurors and witnesses," approved Feb. 9, 1865; referred.

Rand introduced C B No 5, "An act divorcing Mary E. Launier and Amos Launier; rule suspended;on final passage. Ayes—6. Nay—1.

Orr introduced C B No 6, "An act to prevent the collection of iilegal toll; rules suspended; on final passage. Ayes—5. Nays—2.

Recess until 2 p. m.

AFTERNOON.

H B No 6, "Act to divorce H B Steele and Roena A Steele; passed. Ayes—7. Nay—0.

Bagg introduced C B No 7, "An act providing for the purchase of a suitable safe for the offices of Auditor and Treasurer; rules suspended; final passage. Ayes—5. Nays—0.

Bagg introduced C J R No 2, "Authorizing the Auditor to issue certain warrants;" final passage. Ayes—7. Nays—None.

H J R, to pay Superintendent of Public Instruction; laid on the table.

Watson introduced C B No 8, "An act entitled an act relating to the support of the poor; rules suspended; final passage. Ayes—7. Nays—0.

Davis introduced C B No 9, "An act to divorce Rosa Vanolerden and Abram H Vanolerden; final passage. Ayes—6. Nays—0.

Petition from Missoula County to pay for transportation of arms; laid on the table.

Adjourned.

COUNCIL.

#### Fifth Day.

December 19th.

Rand presented petition to divorce Louisa M. Winsted and John W. Winsted.

Cullen, special committee, reported bill to change the name of Edgerton Co. to Lewis and Clarke County, favorably.

Rand introduced C B No 10, "An act to regulate and defining the jurisdiction of Probate courts of Montana; referred to committee of the Whole.

Rand introduced C B No 11, "An act to divorce J W Winsted and Louisa M Winsted; referred to special committee; Rand, Corum, Watson.

Watson introduced C B No 12, "An act in relation to the appointment of deputy district attorneys; referred.

H B No 3; final passage. Ayes—5. Nays—1.

H B No 8, "An act concerning crimes and punishments;" passed.

Cullen introduced C B No 13, "An act defining the duties of Territorial Superintendent of Public Instruction;" referred.

Council confirmed the following appointments by the Governor:

M C Larkin, Deer Lodge county; J J Healy, and H A Kennerly, Choteau Co., and M Veale, Madison Co., as Notaries Public.

Davis introduced C J R No 3,"Authorizing the Auditor to issue certain warrants; referred.

Recess.

AFTERNOON.

C B No 11, reported favorably; final passage. Ayes—6. Nay—1.

C B No 12, "An act in relation to deputy district Attorneys; final passage. Ayes—4. Nays—3.

HOUSE—SEVENTH DAY.

December 20, 1867.

Prayer by Chaplain.

Boswell, select, reported C B No 4, fee bill, favorably.

Notice from the Governor that he had approved the act incorporating the Eldorado and Diamond City Wagon Road; also, the act changing the name of Edgerton county to Lewis and Clark county; also the act amendatory concerning crimes and punishments.

Comly, select, reported C B 1, concerning probate courts at Phillipsburg, with amendments. Adopted, and bill on final passage—ayes, 6; nays, 5.

Comly introduced H B No 10, to incorporate the city of Helena. Referred to select committe—Comly, Rhodes and Tennant.

Word introduced H J R No 1, to adjourn at 12 m. on Monday. Adopted.

H B No 2, military bill, made special order for 3 p. m.

Patton introduced H J R No 7, to pay D. W. Tilton & Co. for printing. Referred to Ways and Means,

C B No 12, in relation to deputy district attorneys, laid on the table.

C B 11, to divorce John W. and Louisa M. Winsted. Referred to Boswell, Weston and Patton. Recess.

AFTERNOON.

H B No 2 taken up. After considerable discussion, Mr. Kennerly offered a resolution asking Governor Smith to give his views on the bill. Adopted.

Governor Smith appeared and delivered a speech on military affairs.

Recess. 6½ p. m.

The evening was consumed in fillibustering on the military bill—finally referred to committee on Territorial Affairs.

C B 4, considered in committee of the Whole. and adjourned.

HOUSE.

December 21.

Morning.

Word introduced a resolution that no more bills should be introduced after today. Adopted.

C B 3, Revenue Bill, on final passage. Ayes 10; nays 0.

Comly reported H B 10, to incorporate Helena City, with amendments. Adopted.

Comly reported C B 4, Fee bill, with amendments. Adopted. On final passage. Ayes 10; nays 0.

H B 11, another Capital bill. Read and referred to Ways and Means.

Recess.

AFTERNOON.

Rhodes, Ways and Means, reported H B 11, adding "Helena City" to Gallatin City and Virginia. Gallaher, from same, reported the bill favorably. Report received.

Boswell reported H B 2, Military bill, for the deliberation of the House. On final passage. Ayes 11; nays 0.

Tennant introduced H B 12, to give Secretary Tufts $1,000 extra compensation. On final passage. Ayes 7; nays 4.

Kennerly introduced H B 13, to incorporate the Upper Missouri River Navigation Company. Final passage. Ayes 9; nays 0.

Kennerly offered a resolution to adjourn *sine die* at 6 p m. Tabled.

House concurred in Council amendments to H B No 1.

H B 1, taken up and House adjourned without action.

COUNCIL.

December 21.

Corum, Elections, reported H B 9, relative to elections, favorably.

Watson, Ways and Means, reported H J R No 3, for Helena armory. Amended by adding $600 for an armory in Missoula county.

Corum introduced C B 14, to provide officers for the penitentiary. Referred.

Corum introduced C B 15, to repeal Sec. 5, of the act concerning the location of quartz leads. Referred.

C B 1, taken up. House amendments concurred in.

Recess.

AFTERNOON.

Notice from the Governor of the approval of the Vanvlerden divorce bill. Also the bill providing a safe for the Auditor and Treasurer.

H B No 1, Civil Practice Act. Amended and on final passage. Ayes 5; nays 2.

Davis introduced C B 15, to amend the act defining the boundaries of Deer Lodge, Madison and Beaverhead counties. Referred to committee on Towns and Counties.

Adjourned.

HOUSE—EIGHTH DAY.

December 21.

Morning. Prayer by Chaplain.

Rhodes, Ways and Means, reported H J R No 7, unfavorably.

H B No 10, to incorporate the City of Helena, amended and on final passage. Ayes 10; nays 0.

Vote on H B No 2, Military bill, reconsidered, amended and on final passage. Ayes 6; nays 4.

C B 10, concerning probate courts, on final passage. Ayes 9; nays 0.

Stewart introduced H B 15, to divorce G. Jules Germain and Maria Germain. Rules suspended. On final passage. Ayes 9; nays 1.

Gallaher introduced H B 16, to divorce George W. Hacker and Mary Jane Hacker. Rules suspended. On final passage. Ayes 7; nays 1.

C B 12, relating to the appointment of district attorneys, taken up and on final passage. Ayes 9; nays 0.

C B 13, defining the duties of Superintendent of Public Instruction, taken up and referred to select committee—Word, Comly, Rhodes.

Word introduced H B 17, to repeal the act incorporating the City of Nevada. Rules suspended. On final passage. Ayes 9; nays 0.

Gallaher introduced H B 18, to divorce Edward McBrown and Margaret McBrown. Rules suspended. On final passage. Ayes 6; nays 0.

C B 15, amending the act defining the county lines of Deer Lodge, Beaverhead and Madison counties. On final passage. Ayes 7; nays 3,

Edwards gave notice of reconsideration.

Recess.

Weston introduced H B No 19, to re-enact the act authorizing Ray W Andrews to have a ferry on the Missouri river; rules suspended. Passed.

H B 11, Capital bill; laid on the table.

C B 16, to legalize the location of quartz claims; on final passage. Ayes—8. Nays—1.

C B 11, to divorce John M and Louisa M Wenslett. Lost. Ayes—6. Nays—None.

Gallaher introduced H J M 10, asking the United States to appropriate $150,000 for the removal of obstructions from the Missouri river, above the American Falls; final passage. Ayes—10. Nays—None.

Word, select, reported C B 11, with amendments; adopted and on final passage. Ayes—6. Nays—0.

C B 14, to provide for the government of the Territorial penitentiary; on final passage. Ayes; 6. Nays; 0.

C J R No 4, extra compensation to S Chamberlain and A C Hill; amended; referred.

C B 14; final passage. Ayes; 6. Nays; none.

C B 4, fee bill; House receded from their amendments. Ayes; 8. Nays; 2.

H J R, Helena armory bill; House refused to concur in Council amendments.

C J R No 3; on final passage. Ayes; 5. Nays; 2.

Tennant introduced H J R No 11, authorizing the Auditor to draw certain warrants. Passed.

Gallaher introduced H J R 12, in regard to Indian policy; referred to select committee, Word, Gallaher, Comly.

Notice from the Governor that he had approved the Civil Practice Act.

Recess.

Evening.

H J R, 7 to give compensation to D W Tilton & Co for Territorial printing; laid on the table.

On motion of Patton, C J R No 3 was reconsidered, amended and passed.

Adjourned.

COUNCIL.

Dec. 23.

Morning.

Notice from the Governor, of his approval of C B No 7, for Probate Courts at Philipsburg, Deer Lodge county. C B No 6, to prevent the collection of illegal toll. C B No 3, for collection of Revenue.

C B 13. Final passage—Ayes 4.

C B 10. Defining jurisdiction of Probate Courts. Passed—Ayes 7.

Bagg introduced C B 16, to legalize the location of quartz claims in Montana. Final passage—Ayes 7, nays 0.

H J R 3. For building of armory at Helena. Rule suspended. Final passage—Ayes 6, nays 1.

H B 4. Act to promote Agricultural, Mechanical and Mineral interests of Montana. Passed—Ayes 5, nays 2.

H J R 5. Appropriating money to attaches. Ayes 5, nays 2.

Recess.

Afternoon.

Davis introduced C B 17, concerning fines. Rules suspenced. Final passage—Ages 5, nays 2.

H B 17. Act to repeal the act to incorporate Nevada City. Passed—Ayes 6, nays 1.

Corum introduced C J R 4. Appropriation for G G Chamberlain and A C Hill. Passed—Ayes 6, nays 1.

C B 14. Act to provide for government of Territorial penitentiary. Passed—Ayes 5, nays 2.

Notice from the Governor of his approval of H B No 10, to regulate, and defining the proceedings of Probate Courts.

H B 15. Act divorcing G Jules Germain and Mary Germain. Passed—Ayes 5, nays 2.

H J R 9. Laid on the table.

H B 10. Incorporation Act of Helena. Passed—Ayes 6, nays 1.

H B 14. Taken up and lost on final passage.

H J M 10. Asking appropriation for removal of obstructions above American Falls in Missouri river. Passed—Ayes 6.

H B 14. Reconsidered and passed—Ayes 5, nays 2.

H B 19. Act authorizing Ray W Andrews to maintain a ferry across Missuri river, Pased—Ayes 4, nays 2.

H B 13. Repealing the act to incorporite the Upper Missouri Steamboat Company. Laid on the table.

Notice from the Governor of his approval of C B's 15 and 12.

H B 12. Act to give $1,000, extra compensation, to James Tufts, Secretary. Passed—Ayes 4, nays 2.

Davis introduced C B 17. Concerning fines. Passed—Ayes 5, nays 2.

Recess.

6 P. M.

Notice from the Governor of his approval of C B's 14, 15, 16, and 4.

H B 2. Act for the organization of Territorial Militia. Indefinitely postponed—Ayes 4, nays 3.

C B 18. Passed—Ayes 5, nays 2.

Adjourned.

Dec. 24

Corum introduced C J R 5. Relating to Joint Convention. Passed—Ayes 5, nays 1.

H B 9. Act relating to Elections. Passed—Ayes 3, nays 2.

Communication from the Governor, having approved C B 13, Concerning Superintendents of Public Instructions.

Joint Convention—Election of Penitentiary officers.

Council resumed.

Confirmation of the following appointees as Notaries Public:—F R Biel and Thos R Napton.

C B 18. Military Bill. Lost—Ayes none, nays 7.

Notice from the Governor, of his approval of C B 16.

Recess.

2 P. M.

Rand introduced C B 19. Act to amend an act to regulate proceedings in civil cases, in Courts of Justice. Passed—Ayes 6, nay 1.

Notice from the Governor, of his approval of C B 11.

H J R 12. Taken up and passed—Ayes 6, nay 1.

Recess.

6 P. M.

Notice from the Governor, that he had approved C B 14.

The hour having at last arrived at which the Legislative Assembly agreed to adjourn, the President declared Council adjourned *Sine Die.*


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