

Rocky Mountain News

Colorado Legislature

SECOND SESSION, House Proceedings

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HOUSE OF REPRESENTATIVES, July 7, 1862

At the second session of the Legislative Assembly of the Territory of Colorado, the House of Representatives met at Colorado City, on Monday, the 7th day of July, A.D. 1862, pursuant to Public Resolution of Congress No. 30, approved May 21, A.D. 1862, and Proclamation of the Governor of Colorado, dated May 24, A.D. 1862, there were present the following gentlemen, to wit:

Hon. C.F. Holly, E.S. Whilwhite, Edwin Scudder, J.H. Noteware, O.A. Whittemore, Daniel Witter, Jesus M. Barela, G.M. Chillcott, Joseph Kenyon, Wm. M. Slaughter, D.C. Oaks, J.W. Hamilton, Wilber F. Stone, M.S. Beach, D. Powell, Raphael Martine, Francisco Gallejos. In all, seventeen members.

The House was called to order by Mr. Slaughter, and on motion, Mr. Scudder was appointed Speaker pro tem., and on motion of Mr. Noteware, Wm. Tram Muir was appointed Clerk pro tem.

The roll of members was then called, and there were found absent Hon. Messrs. D. Steele, Rankin, J.B. Chaffee, Geo. F. Crocker, Victor Garcia, Hayes, Hanscome, R.R. Harbour, and John Fosher. In all, nine members.

On motion of Mr. Witter, the House proceeded to elect by ballot a Committee on Credentials.

On motion of Mr. Slaughter, Messrs. Noteware and Kenyon were appointed [sic] tellers, and on motion of Mr. Holly, the Committee were [sic] elected one at each ballot.

At the first ballot seventeen votes were cast, of which Mr. Wilhite received thirteen, and was declared elected.

At the second ballot, sixteen votes were cast, of which Mr. Whittemore received nine, and was declared elected.

At the third ballot 17 votes were cast, of which Mr. Hamilton received twelve, and was declared elected.

The Committee on Credentials therefore consisted of Messrs. Wilhite, Whittemore and Hamilton.

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On motion of Mr. Slaughter, the House then adjourned till to-morrow morning at ten o'clock.

HOUSE OF REPRESENTATIVES, July 8th, 1862

House met at 10 o'clock, pursuant to adjournment--Mr. Scudder in the chair. Roll of the House called. Absent, Messrs. Steele, Rankin, Chaffee, Garcia, Hayes, Hanscomb and Harbour.

Minutes of last meeting read and approved.

Committee on credentials reported progress and asked for further time, which was granted; and, after a few minutes, the committee reported the following members present and entitled to seats in the House, to wit: Chas. F. Holly, E.S. Wilhite, Edwin Scudder, J.H. Noteware, O.A. Whittemore, Daniel Witter, George F. Crocker, Jesus M. Barela, G.M. Chilcott, Joseph Kenyon, W.M. Slaughter, D.C. Oakes, J. W. Hamilton, Wilber F. Stone, John Fosher, M.S. Beach, D. Powell, Raphael Martine and Francisco Gallejos--in all 19 members.

On motion of Mr. Chillcot the report of the committee was received.

On motion of Mr. Noteware the report was adopted and the members therein enumerated be considered members of this House.

On motion of Mr. Holly the Chair was requested to invite Mr. Butte, a Notary Public and County Clerk, to be in attendance and administer the Oath of Office to the members of the House.

On motion of Mr. Slaughter, the Chair appointed a committee consisting of Messrs. Slaughter, Witter and Hamilton, to invite Mr. Butte accordingly.

Mr. Butte then came into the House and administered the Oath of Office to 16 of the members in the English language, and to the remaining 3, to wit: Messrs. Barela, Martine and Gallejos, in the Spanish language by means of Mr. Dubreuille, an interpreter, who was previously sworn to act as such.

On motion of Mr. Noteware the House proceeded to elect an interpreter for the House.

Nominations being in order, Mr. Kenyon nominated Mr. Dubreuille.

It was moved by Mr. Holly that the House vote by a call of the roll, and carried.

Upon balloting for interpreter there were 19 votes cast, of which Mr. Dubreuille received 18 and Mr. Dominguez 1.

Mr. Dubreuille was therefore declared duly elected.

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Mr. Witter moved that the rules of order of last House, be adopted for the present, for the government of this House.

Mr. Slaughter moved as an amendment, that the standing rules of the House of Representatives in Congress, as laid down in Jefferson's Manual, be applied, and govern in this House until rules are reported for its permanent government.

The question was first taken on Mr. Slaughter's amendment, which was lost.

The question recurring on the original motion of Mr. Witter, it was carried.

On motion, of Mr. Wilhite, the Speaker was requested to invite some Notary Public or other officer authorized by law to administer oaths, to administer the oath of office to Mr. Dubreuille as interpreter.

On motion of Mr. Gallejos, the House then adjourned until two o'clock.

AFTERNOON SESSION

House met pursuant to adjournment. A quorum being present, on motion of J.H. Noteware, the House adjourned until to-morrow morning at ten o'clock, in order to allow the Council to occupy the room, there being but one room for the two bodies.

HOUSE OF REPRESENTATIVES, July 9th, 1862

House met at 10 o'clock, pursuant to adjournment.

Roll of House called--19 members present.

Mr. Dubreuil appeared, and the oath was administered to him to act as interpreter of the House by Mr. Butte.

Journal of preceding day was read and approved.

On motion of Mr. Noteware it was resolved that the House now proceed to elect a Speaker, and that the first ballot taken be an informal vote.

Informal ballot--19 votes cast. Mr. Chilcott received 1; Scudder, 2; Wilhite, 1; Witter, 3; Noteware, 1; Holly, 5; Hamilton, 1; Stone, 1; Kenyon, 1; Crocker, 1; Beach, 1; Barela, 1.

On motion of Mr. Noteware, it was resolved that the House proceed now to the first formal ballot for Speaker, and continue balloting until a Speaker is elected.

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1st formal ballot--Whole number votes cast 19; necessary to choice, 10.

Messrs. Chilcott, 1; Witter, 7; Noteware, 2; Holly, 9; no choice.

2nd ballot--Whole number of votes cast, 19; necessary to a choice 10.

Chilcott, 1; Witter, 8; Noteware, 1; Holly, 9; no choice.

3rd ballot--Whole number of votes cast, 19; necessary to a choice, 10.

Chilcott, 1; Witter, 8; Noteware, 1; Holly 9; no choice.

4th ballot--Whole number of votes cast, 19; necessary to a choice, 10.

Chilcott, 1; Witter, 8; Oakes, 1; Holly, 9; no choice.

5th ballot--Whole number of votes cast, 19; necessary to a choice, 10. Chilcott, 1; Witter, 8; Whittemore, 1; Holly, 9; no choice.

Mr. Kenyon moved to adjourn until 2 o'clock this afternoon. Lost.

6th ballot--Whole number of votes cast, 19; necessary to a choice, 10. Chilcott, 1; Witter, 8; Whittemore, 1; Kenyon, 9. No choice.

7th ballot--Whole number of votes cast, 19; necessary to a choice, 10. Chilcott, 1; Witter, 8; Whittemore, 1; Holly, 9. No choice.

8th ballot--Whole number of votes cast, 19; necessary to a choice, 10. Chilcott, 1; Witter, 8; Whittemore, 1; Holly, 9. No choice.

Moved by Mr. Noteware that the House take a recess of twenty minutes. Lost.

Moved by Mr. Slaughter that the House adjourn until 2 o'clock this afternoon. Ayes and noes called for.

Ayes--Wilhite, Scudder, Noteware, Whittemore, Witter, Kenyon, Slaughter and Hamilton, 8.

Noes--Holly, Crocker, Barela, Chilcott, Oakes, Stone, Foshier, Beach, Martine, Powell and Gallejos--11.

Ayes 8, noes, 11. So the motion to adjourn was lost.

Mr. Slaughter moved that the House reconsider the vote, whereby it was resolved that we continue balloting for a Speaker until he be elected. Lost.

9th ballot--Whole number of votes cast, 19; necessary to a choice, 10. Chilcott, 1; Witter, 8; Hall, 1; Whittemore, 1; Holly, 8. No choice.

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10th ballot--Whole number of votes cast, 19; necessary to a choice, 10. Chilcott, 1; Witter, 8; Hall, 1; Holly, 9. No choice.

Moved by Mr. Kenyon that the House adjourn till 2 o'clock this afternoon. Ayes and noes called for.

Ayes--Wilhite, Whittemore, Witter, Crocker, Kenyon, Slaughter and Hamilton--7.

Noes--Holly, Scudder, Noteware, Barela, Chilcott, Oakes, Stone, Fosher, Beach, Powell, Martine and Gallejos.

Ayes 7, noes 12, So the motion to adjourn was lost.

11th ballot--Whole number of votes cast, 19; necessary to a choice, 10. Chilcott, 1; Witter, 8; Hall, 2; Holly, 7; Crocker, 1. No choice.

Mr. Slaughter moved that the House take a recess of twenty minutes. Ayes and noes called for.

Ayes--Wilhite, Scudder, Noteware, Whittemore, Witter, Crocker, Kenyon, Slaughter, Oakes, Hamilton and Stone--11.

Noes--Holly, Barela, Chilcott, Fosher, Beach, Powell, Martine and Gallejos--8.

Ayes 11, noes 8. So the motion prevailed, and the House took a recess of twenty minutes.

House met after recess,--whereupon Mr. Wilhite moved to adjourn till 2 o'clock. Ayes and noes called for. Ayes--Wilhite, Scudder, Whittemore, Witter, Kenyon, Slaughter, Oakes and Hamilton--8.

Noes--Holly, Noteware, Crocker, Barela, Chilcott, Stone, Fosher, Beach, Powell, Martine and Gallejos--11.

Ayes 8, noes 11. So the motion to adjourn was lost.

12th ballot--Whole number of votes cast, 19; necessary to a choice, 10. Chilcott, 1; Witter, 8; Crocker, 1; Holly 9. No choice.

On motion of Mr. Whittemore, the House adjourned till 2 o'clock P.M.

AFTERNOON SESSION, July 9, 1862

House met at 2 oclock, pursuant to adjournment and proceeded to the

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13th ballot for Speaker of the House--whole number of votes cast 19; necessary to a choice 10. Messrs. Chilcott received 1; Witter, 8; Whittemore 1; Holly 9. No choice.

14th ballot--whole number of votes cast 19; necessary to a choice 10. Chilcott, 1; Witter, 8; Whittemore, 1; Holly, 9. No choice.

15th ballot--whole number of votes cast 19; necessary to a choice 10. Chilcott, 1; Witter, 8; Whittemore, 2; Slaughter, 1; Holly, 5; Crocker, 2. No choice.

16th ballot--whole number of votes cast 19; necessary to a choice 10. Chilcott, 1; Witter, 8; Whittemore 1; Kenyon 1; Holly, 7; Crocker, 1. No choice.

17th ballot--whole number of votes cast 19; necessary to a choice 10. Chilcott, 1; Witter, 8; Kenyon, 1; Crocker, 1; Holly, 8. No choice.

18th ballot--whole number of votes cast 19; necessary to a choice 10. Chilcott, 1; Witter, 8; Noteware, 1; Holly, 9. No choice.

19th ballot--whole number of votes cast 19; necessary to a choice 10. Chilcott, 1; Witter, 7; Kenyon, 1; Whittemore, 1; Gallejos, 1; Holly, 8. No choice.

20th ballot--whole number of votes cast 19; necessary to a choice 10. Chilcott, 2; Witter, 7; Kenyon, 1; Whittemore, 2; Holly, 7. No choice.

21st ballot--whole number of votes cast 19; necessary to a choice 10. Chilcott, 1; Witter, 6; Kenyon, 2; Whittemore, 3; Holly, 5; Crocker, 1; Slaughter, 1. No choice.

22d ballot--whole number of votes cast 19; necessary to a choice 10. Chilcott, 1; Witter, 6; Kenyon, 1; Whittemore, 4; Holly, 6; Stone 1. No choice.

Mr. Slaughter moved that the House suspend the rule and proceed to the election of all the other officers of the House. Ayes and noes called for.

Ayes--Wilhite, Scudder, Noteware, Whittemore, Witter, Kenyon, Slaughter, Oakes and Hamilton--9.

Noes--Holly, Crocker, Barela, Chilcott, Stone, Fosher, Beach, Powell, Martine, Gallejos--10.

Ayes 9, nays, 10. So the motion to suspend was lost.

Mr. Slaughter then moved that the House rescind the resolution under which the House continues balloting for Speaker, so as to admit of the election of a Sergeant-at-Arms. Ayes and noes called for.

Ayes--Whilhite, Scudder, Noteware, Whittemore, Witter, Kenyon, Slaughter, Oakes, Hamilton and Powell--10.

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Noes--HOLly, Crocker, Barela, Chilcott, Stone, Fosher, Beach, Martine, Gallejos--9.

Ayes 10, nays 9. So the motion prevailed.

Nominations for Sergeant-at-Arms being in order, Mr. Noteware nominated Capt. Sopris, and Mr. Crocker nominated Mr. Elmer.

And upon taking the vote for Sergeant-at-Arms, the whole number of votes cast was 19; necessary to a choice 10.

R. Sopris received 15, E.P. Elmer received 4. R. Sopris having received a majority of all the votes cast he was declared elected Sergeant-at-Arms of the House.

Mr. Slaughter moved that the House rescind the resolution under which it is acting, so as to admit of the election of Doorkeeper, Page and Chaplain of the House. Carried.

Mr. Beach nominated as Doorkeeper, James McGee, and upon taking the vote for Doorkeeper, there were 19 votes cast; necessary to a choice 10. James McGee received 14, S.F. Shafer, 4; S.W. Wagonner, 1. James McGee having received a majority of all the votes cast, he was declared elected Doorkeeper of the House.

Nominations for Page being in order, Mr. Noteware nominated Master Pratt, and upon taking the vote for Page, Master Pratt received 19 votes, and was declared elected page of the House.

Mr. Beach nominated Rev. Wm. Howbert as Chaplain, and Mr. Noteware nominated Mr. Billingsley.

Upon balloting for Chaplain the whole number of votes cast was 19; necessary for a choice 10. Mr. Howbert received 18; Mr. Billingsley 1.

Whereupon Rev. Mr. Howbert was declared elected Chaplain of this House.

It was moved by Mr. Slaughter that the House rescind the resolution under which it is now acting, so as to admit of the election of a Chief and Assistant Clerk of the House. Carried.

Nominations for Chief Clerk being in order William Train Muir was nominated.

And upon balloting for Chief Clerk there were 19 votes cast; necessary to a choice 10.

Wm. Train Muir received 19 votes, and was declared elected Chief Clerk of the House.

Nominations for First Assistant Clerk being in order, E.P. Elmer was nominated by Mr. Noteware, and N.G. Pratt by Mr. Chilcott.

Upon taking this vote for first Assistant Clerk, there were 19 votes cast; necessary to a choice 10.

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E.P. Elmer received 12 votes, N.G. Pratt 7.

Mr. Elmer having received a majority of all the votes cast, he was declared elected first Assistant Clerk of the House.

On motion of Mr. Holly, a committee of three was appointed by the Speaker to invite Hon. H.V. Hall, Chief Justice of the Territory to administer the oath of office to the officers of the House already elected. The Speaker appointed Messrs. Holly, Noteware and Chilcott as such committee.

On motion of Mr. Barela the House adjourned until to-morrow morning at 10 o'clock.

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