

*Virginia City Territorial Enterprise*  
February 1864

***Legislative Proceedings***

HOUSE—THIRTY-SEVENTH DAY

CARSON, February 17

[Dallam, of the Carson Independent, makes a full and unqualified apology to me this morning—an entire column of it. He says he was not in his right mind at the time, and hardly ever is. Now, when a man comes out like that, and owns up with such pleasant candor, I think I ought to accept his apology. Consequently, we will call it square. It is flattering to me to observe that Dallam's editorials display great ability this morning, and that the paper shows an extraordinary degree of improvement in every respect. A becoming modesty should characterize us all—it is not for me to say who the credit is due to for the improvements mentioned. I only say I am glad to see the Independent looking healthy and vigorous again.—MARK.]

PETITION

Mr. Stewart presented a petition, signed by most of the responsible citizens of Ormsby, he said, setting forth that it had just come to a knowledge of the fact that the Ormsby Commissioners had pledged free Legislative Halls, and violated that pledge. The petitioners promise that the rent money shall be at once refunded.

Mr. Stewart also presented a communication from the Secretary of the Territory acknowledging the receipt of the full amount of the rent money (\$500) as paid over to him by the petitioners yesterday.

Mr. Stewart moved the reference of the two documents to the Special Committee on removal of the Capital.

Mr. McDonald objected that the Committee spoken of were ready now to report, according to instructions. He moved to lay the papers on the table, to be taken up at pleasure. Carried.

QUESTION OF PRIVILEGE

Mr. Stewart rose to a question of privilege, and spoke at considerable length upon two editorials in the ENTERPRISE in relation to the removal of the capital, and a communication upon the same subject in the same paper, written by one "Looker-On," but whom Mr. Stewart, with ghastly humor and with relentless and malignant irony, persisted in calling "Looker On or Hanger-On, I don't know which!" He said the Gasherie bill for supporting Ormsby County paupers, and which expense the Territory was asked to pay, only amounted to \$877, instead of the large amount stated by the writer of the article!

[The amount being less, don't you see, the principle is not the same. Of course. Certainly. Wherefore? Why not? The gentleman's question of privilege was well taken. As long as the paupers did not cost, or propose to cost the Territory much, it was impertinent in a newspaper to mention it. That is the way Mr. Stewart and I look at it.—MARK.]

Mr. Stewart said the balance of the money was cash paid out of Mr. Gasherie's own pocket in the catching of Territorial criminals, and of course as anybody would willingly acknowledge, it was the Territory's place to pay it.

Mr. Clagett, from the Special Committee on the removal of the capital, presented a majority report favoring the removal.

Mr. Stewart, from the same committee, presented a minority report recommending the indefinite postponement of the bill.

Mr. Dixon moved the reference of both reports to Committee of the Whole.

Mr. McDonald moved to amend by accepting the majority report.

On a division, Mr. Dixon's motion prevailed—13 to 11.

Mr. Clagett called for the reading of the amendments recommended by the majority report, which was done. [Stipulates that Virginia shall also furnish Supreme Court rooms and Clerk's offices for five years.—REP.]

Mr. Stewart moved that the Ormsby petition and the communication from the Secretary of the Territory be referred to Committee of the Whole. Carried.

Mr. Barclay moved a re-consideration of the vote by which the bill and the above documents were referred to Committee of the Whole. Lost by the following vote:

AYES—Messrs. Barclay, Clagett, Curler, Elliott, Gillespie, Heaton, McDonald, Nelson, Requa, Tennant, Ungar—11

NOES—Messrs. Brumfield, Calder, Dean, Dixon, Fisher, Gove, Hess, Hunter, Jones, Phillips, Stewart, Trask, Mr. Speaker—13.

Mr. Elliott moved that the Capital Bill be made the special order for tomorrow morning at 11 A.M. Lost by the following vote (required a two-thirds vote to carry):

AYES—Messrs. Barclay, Calder, Clagett, Elliott, Fisher, Gillespie, Heaton, McDonald, Nelson, Phillips, Requa, Tennant, Ungar and Mr. Speaker—14.

NOES—Messrs. Brumfield, Curler, Dean, Dixon, Gove, Hess, Hunter, Jones, Stewart and Trask—10.

Mr. Brumfield moved to change the time to 12 o'clock Saturday night (the moment when the Legislature adjourns finally).

Mr. Clagett opposed the motion.

Lost, by the following vote:

AYES—Messrs. Brumfield, Dean, Dixon, Gove, Hess, Hunter, Jones, Stewart—9.

NOES—Messrs. Barclay, Calder, Clagett, Curler, Elliott, Fisher, Gillespie, Heaton, McDonald, Nelson, Phillips, Requa, Tennant, Trask, Ungar, Mr. Speaker—16.

Mr. Clagett said that in order to stop this frittering away of valuable time, and in order to get a test vote, he would move that the bill be considered engrossed and ordered to a third reading. Carried by the following vote:

AYES—Messrs. Barclay, Brumfield, Calder, Curler, Clagett, Elliott, Fisher, Gillespie, Gove, Heaton, Hunter, Jones, McDonald, Nelson, Phillips, Requa, Stewart, Tennant, Trask, Ungar—20.

NOES—Messrs. Dean, Dixon, Hess, Mr. Speaker—4.

Mr. McDonald moved that the bill be read by title only. Carried.

FINAL PASSAGE OF THE CAPITAL BILL

The bill was accordingly read a third time by title, and finally passed, by the following vote:

AYES—Messrs. Barclay, Calder, Clagett, Curler, Elliott, Gillespie, Heaton, McDonald, Nelson, Requa, Tennant, Ungar and Mr. Speaker—13.

NOES—Messrs. Brumfield, Dean, Dixson, Fisher, Gove, Hess, Hunter, Jones, Phillips, Stewart and Trask—11.