ARTICLE XXIII AMENDMENTS

This article passed with little debate and few amendments. The Walla Walla Weekly Statesman commented that perhaps it would save the Constitution from being rejected.¹

The Committee for Miscellaneous Subjects, Schedule, and Future Amendments was appointed July 9. (p. 20)

Members: Sharpstein, chairman; McElroy, Buchanan, Lillis, J. M. Reed, Comegys, Gray, Dickey, and Jamieson.

Section 1

Present Language of the Constitution:

HOW MADE. Any amendment or amendments to this Constitution may be proposed in either branch of the legislature; and if the same shall be agreed to by two-thirds of the members elected to each of the two houses, such proposed amendment or amendments shall be entered on their journals, with the ayes and noes thereon, and be submitted to the qualified electors of the state for their approval, at the next general election; and if the people approve and ratify such amendment or amendments, by a majority of the electors voting thereon, the same shall become part of this Constitution, and proclamation thereof shall be made by the governor: Provided, that if more than one amendment be submitted, they shall be submitted in such a manner that the people may vote for or against such amendment separately. The legislature shall also cause the amendments that are to be submitted to the people to be published for at least three months next preceding the election, in some weekly newspaper, in every county where a newspaper is published throughout the state.

Original language same as present.²

Text as given in majority report of committee, August 5:

Same as final except that it did not provide that the amend-

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¹ Walla Walla Weekly Statesman, August 9, 1889.
² State Constitution, How Amended: Wash., Const. (1878), Art. 16, sec. 1. [Identical except Wash. requires publication.] Cal., Const. (1879), Art. 18, sec. 1; Hill, Prop. Wash. Const., Art. 18, sec. 1. [Similar.] Ore., Const. (1857), Art. 17, sec. 1; (Ind., Const. (1851), Art. 16, sec. 1, almost identical to Ore.). [Numerous state constitutions contain provisions similar in varying detail.]
ment must be published “for at least three months preceding the election.” (p. 228)

Text as given in minority report of committee submitted by Buchanan, August 5:

That the proposed amendment be accepted by a majority of the Legislature, published for three months before the next general election, be passed by a majority vote of the next Legislature and then be submitted to the people for a majority vote. (p. 230)

Final action by Convention, August 7:

Motion: Jones moved to insert “for at least six months next preceding the election” after the word “published.”

Motion: J. Z. Moore moved to amend the amendment by changing “six” to “three.”

Action: Moore’s motion carried, and then the motion as amended was carried. (p. 272)

Motion: Berry moved to change “some weekly” to “the official weekly.”

Action: Motion lost. (p. 272)

Motion: Schooley moved to add that no amendment or amendments would be submitted oftener than once in five years.

Action: Motion lost. (p. 272)

Motion: J. Z. Moore moved to strike out “weekly.”

Action: Motion lost. (p. 272)

Motion: Buchanan moved to adopt the minority report.

Action: Motion lost. (p. 272)

Motion: Weir moved to insert “daily or” before “weekly.”

Action: Motion lost. (p. 273)

Motion: Dyer moved to insert “at least one weekly” after the word “published.”

Action: Motion lost. (p. 273)
Section 2

Present Language of the Constitution:

CONSTITUTIONAL CONVENTIONS. Whenever two-thirds of the members elected to each branch of the legislature shall deem it necessary to call a convention to revise or amend this Constitution, they shall recommend to the electors to vote at the next general election, for or against a convention, and if a majority of all the electors voting at said election shall have voted for a convention, the legislature shall at the next session, provide by law for calling the same; and such convention shall consist of a number of members, not less than that of the most numerous branch of the legislature.

Original language same as present.\(^3\)

Text as given in majority report of committee, August 5:

Same as final. (p. 229)

Text as given in minority report of committee submitted by Buchanan, August 5:

Same as majority report except it provided for a majority vote of the Legislature to submit the question. (p. 230)

Final action by Convention, August 7:

Motion: Jones moved a substitute to the section which would have made it mandatory upon the Legislature to submit the question of calling a constitutional convention to the voters every twenty years.

Action: Motion lost. (p. 272)

Section 3

Present Language of the Constitution:

SUBMISSION TO THE PEOPLE. Any Constitution adopted by such convention shall have no validity until it has been submitted to and adopted by the people.

Original language same as present.\(^4\)

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3. Convention to Amend, How Called: Wash., Const. (1878), Art. 16, sec. 2. [Identical.] Cal., Const. (1879), Art. 18, sec. 2. [Similar.]

4. Voters Must Ratify: Wash., Const. (1878), Art. 16, sec. 3. [Identical.]
Text as given in report of committee, August 5:

Same as final. (p. 229)

**Passage of Article**

Article on Amendments approved by Convention, August 7, by a vote of 66 to 1. (p. 273)

**Voting against:** Jones. Absent and not voting: Allen, Browne, Dallam, Jeffs, Mires, Prosser, J. M. Reed, and Stiles.
ARTICLE XXIV

ARTICLE XXIV BOUNDARIES

The only question which arose in the consideration of this article was whether to recognize the Oregon line to the bar in the mouth of the Columbia River. However, it was determined to try to secure concurrent jurisdiction in some other way than by constitutional provision.

The Committee for Federal Relations, Boundaries, and Immigration was appointed July 9. (p. 20)

Members: Comegys, chairman; Buchanan, McElroy, West, and McReavey.

Section 1

Present Language of the Constitution:

STATE BOUNDARIES. The boundaries of the state of Washington shall be as follows: Beginning at a point in the Pacific ocean one marine league due west of and opposite the middle of the mouth of the north ship channel of the Columbia river thence running easterly to and up the middle channel of said river and where it is divided by islands up the middle of the widest channel thereof to where the forty-sixth parallel of north latitude crosses said river near the mouth of the Walla Walla river; thence east on said forty-sixth parallel of latitude to the middle of the main channel of the Shoshone or Snake River, thence follow down the middle of the main channel of Snake river to a point opposite the mouth of the Kooskooskia of Clear Water river, thence due north to the forty-ninth parallel of north latitude, thence west along said forty-ninth parallel of north latitude to the middle of the channel which separates Vancouver’s island from the continent, that is to say to a point in longitude 123 degrees, 19 minutes and 15 seconds west, thence following the boundary line between the United States and British possessions through the channel which separates Vancouver’s island from the continent to the termination of the boundary line between the United States and British possessions at a point in the Pacific ocean equidistant between Bonnilla point on Vancouver’s island and Tatoosh island light house, thence running in a southerly course and parallel with the coast line, keeping one marine league off shore to place of beginning; until such boundaries are modified
by appropriate interstate compacts duly approved by the Congress of the United States. [1957 p 1292, Senate Joint Resolution No. 10. Approved November 4, 1958.]

Original language:¹

The boundaries of the State of Washington shall be as follows:
Beginning at a point in the Pacific ocean one marine league due west of and opposite the middle of the mouth of the north ship channel of the Columbia river; thence running easterly to and up the middle channel of said river and where it is divided by islands up the middle of the widest channel thereof to where the forty-sixth parallel of north latitude crosses said river near the mouth of the Walla Walla river; thence east on said forty-six parallel of latitude to the middle of the main channel of the Shoshone or Snake river, thence follow down the middle of the main channel of Snake river, to a point opposite the mouth of the Kooskooskia or Clear Water river, thence due north to the forty-ninth parallel of north latitude to the middle of the channel which separates Vancouver’s island from the continent, that is to say to a point in longitude one hundred and twenty-three degrees, nineteen minutes and fifteen seconds west, thence following the boundary line between the United States and British possessions through the channel which separates Vancouver’s island from the continent to the termination of the boundary line between the United States and British possessions at a point in the Pacific ocean equidistant between Bonnilla point on Vancouver’s island and Tatoosh island lighthouse, thence running in a southerly course and parallel with the coast line, keeping one marine league off shore to place of beginning.

Resolution submitted to Convention by Comegys, July 15:

Asked for authority for the committee to telegraph the Secretary of the Interior for definite information on the boundaries of the Territory of Washington. Permission granted. (p. 96)

Text as given in first report of committee, August 7:

Same as final except that it did not include “in the Pacific ocean” and “mouth of” in the first sentence. (p. 276)

¹. Boundaries Defined: This is a customary provision and naturally varies in each state.
Action by Convention, August 10:

**Motion:** Comegys moved to insert "mouth of" before "north ship channel" in the first sentence.
**Action:** Motion carried. (p. 334)

**Motion:** Durie moved to add "in the Pacific ocean" after "point."
**Action:** Motion carried. (p. 334)

**Motion:** Eldridge moved to substitute the description used in the Walla Walla Constitution [1878].
**Action:** Motion lost. (p. 334)

**Motion:** Suksdorf moved to recommit the article to the committee.
**Action:** Motion carried. (p. 334)

Text as given in second report of committee, August 14:

Same as final. (pp. 356-7)

Final action by Convention, August 19:

**Motion:** Burk moved to insert "main" for "north" in the first sentence, so that the boundary would be the main ship channel at the mouth of the Columbia River.
**Motion:** Minor moved to amend the amendment to strike out "main."

**Action:** Minor’s motion was ruled out of order and the first motion lost. (p. 397)

The Spokane Falls Review mistakenly says this motion carried, but the Washington Standard agrees with the Journal.²

**Motion:** Dyer moved to insert "from Greenwich" after "west" in line twelve.
**Action:** Motion lost. (p. 397)

**Motion:** Bowen moved to strike "north" from the first sentence.
**Action:** Motion lost 35 to 23. (pp. 397-8)


Motion: Suksdorf moved to insert “thence westerly one league” after “lighthouse” near the end of the section.

Action: Motion lost. (p. 398)

Passage of Article

Article on Boundaries approved by Convention, August 19, by a vote of 61 to 2. (p. 398)

ARTICLE XXV JURISDICTION

Although this article was necessary to allow the United States to set up areas of defense, it failed at its first consideration. There was a strong element which argued that its contents were purely legislative, but it was finally agreed to because of the necessity for immediate action.

When the article was taken up, it was explained to the Convention that only a few of the many reservations on Puget Sound were really useful and these would be speedily fortified while the others would be thrown open to settlement. The Convention was asked to cede the necessary jurisdiction so that as much time as possible could be gained in getting the reservations fortified. It was further stated that the reason there were so few precedents for such an article in state constitutions was that government lands were generally selected after the constitutions were framed.¹

The Committee for Federal Relations, Boundaries, and Immigration was appointed July 9. (p. 20)

Members: Comegys, chairman; Buchanan, McElroy, West, and McReavey.

Section 1

Present Language of the Constitution:

AUTHORITY OF THE UNITED STATES. The consent of the state of Washington is hereby given to the exercise, by the congress of the United States, of exclusive legislation in all cases whatsoever over such tracts or parcels of land as are now held or reserved by the government of the United States for the purpose of erecting or maintaining thereon forts, magazines, arsenals, dockyards, lighthouses and other needful buildings, in accordance with the provisions of the seventeenth paragraph of the eighth section of the first article of the Constitution of the United States, so long as the same shall be so held and reserved by the United States. Provided: That a sufficient description by metes and bounds, and an accurate plat or map of each such tract or parcel of land be filed in the proper office of record in the county in which the same is situated, together with copies of the orders, deeds, patents or other

¹. Walla Walla Weekly Statesman, July 25, 1889.
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evidences in writing of the title of the United States: and pro­
vided, that all civil process issued from the courts of this state
and such criminal process as may issue under the authority
of this state against any person charged with crime in cases
arising outside of such reservations, may be served and exe­
cuted thereon in the same mode and manner, and by the same
officers, as if the consent herein given had not been made.

Original language same as present. ²

Text as given in report of committee, July 18:

Same as final except that it does not include the sentence “so
long as the same shall be so held and reserved by the United
States government” before the proviso, and uses the term
“17th clause” instead of “17th paragraph.” (p. 115)

Action by Convention, August 3:

Motion: Griffitts moved to insert the words “so long as the
same shall be so held and reserved by the United States gov­
ernment” before the proviso.

Action: Motion carried. (p. 220)

Motion: ³ Turner moved to strike out “now held or reserved”
and insert “now held, reserved, occupied, or which may here­
after be held, reserved and occupied.” Also to insert “in con­
nection therewith” after “and other needful buildings.”

Tacoma Morning Globe mistakenly reports that Turner’s sec­
ond motion was to strike out the words “and other needful
buildings.”

Action: Motion lost. (p. 220)

Discussion as follows:

For: Turner said to cede this jurisdiction would give the
government entire control over United States court
buildings and post offices.

Against: Comegys said the section’s purpose would be
defeated by the amendment, and would raise the question
of what is occupancy.

2. U.S. to Have Certain Jurisdiction: Wash., Enabling Act, sec. 4, par. 2; U.S.,
Const., Art. 1, sec. 8, par. 17. [In substance.]
3. Tacoma Morning Globe, August 4, 1889.
Query: Lillis asked who would try a murderer who committed the crime on a reservation.

Answer: Griffitts replied that the United States would, but that the state also reserved the right to serve criminal process.

Article failed to receive a majority of those present with a vote of 37 to 17. (p. 220)


Passage of Article

Article on Jurisdiction approved by Convention, August 5, by a vote of 56 to 6. (p. 231)
ARTICLE XXVI Compact with the United States

This article was adopted for the purpose of placing in the Constitution certain requirements specified in section four of the Enabling Act. It passed without debate.

The Committee for Federal Relations, Boundaries, and Immigration was appointed July 9. (p. 20)

Members: Comegys, chairman; Buchanan, McElroy, West, and McReavey.

Section 1

Present Language of the Constitution:

The following ordinance shall be irrevocable without the consent of the United States and the people of this state:

First. That perfect toleration of religious sentiment shall be secured and that no inhabitant of this state shall ever be molested in person or property on account of his or her mode of religious worship.

Original language same as present.¹

Text as given in report of committee, August 8:

Same as final except that it used the adjective "perpetual" to modify "toleration of religious sentiment," instead of "perfect" as in the final. (p. 283)

Section 2

Present Language of the Constitution:

Second. That the people inhabiting this state do agree and declare that they forever disclaim all right and title to the unappropriated public lands lying within the boundaries of this state, and to all lands lying within said limits owned or held by any Indian or Indian tribes; and that until the title thereto shall have been extinguished by the United States, the same shall be and remain subject to the disposition of the United States, and said Indian lands shall remain under the absolute jurisdiction and control of the congress of the United States and that the lands belonging to citizens of the United States residing without the limits of this state shall never be taxed

¹ Religious Toleration: Wash., Enabling Act, sec. 4, par. 1. [Identical.]
at a higher rate than the lands belonging to residents thereof; and that no taxes shall be imposed by the state on lands or property therein, belonging to or which may be hereafter purchased by the United States or reserved for use: Provided, That nothing in this ordinance shall preclude the state from taxing as other lands are taxed any lands owned or held by any Indian who has severed his tribal relations, and has obtained from the United States or from any person a title there-to by patent or other grant, save and except such lands as have been or may be granted to any Indian or Indians under any act of congress containing a provision exempting the lands thus granted from taxation, which exemption shall continue so long and to such an extent as such act of congress may prescribe.

Original language same as present.²

Text as given in report of committee, August 8:

Same as final. (p. 283)

Section 3

Present Language of the Constitution:

Third. The debts and liabilities of the Territory of Washington and payment of the same are hereby assumed by this state.

Original language same as present.³

Report of committee, August 8, did not include this section.

Final action by Convention, August 10:

Motion: Gowey moved the adoption of an additional section the text of which was the same as final.

Action: Motion carried. (p. 332)

Section 4

Present Language of the Constitution:

Fourth. Provision shall be made for the establishment

2. Rights to Appropriated Public Lands Claimed: Wash., Enabling Act, sec. 4, par. 2. [Identical.]
3. Debts of Territory Assumed: Wash., Enabling Act, sec. 4, par. 3. [Identical.]
and maintenance of systems of public schools free from sectarian control which shall be open to all the children of said state.

Original language same as present.\(^4\)

Report of committee, August 8, did not include this section.

Final action by Convention, August 10:

**Motion:** Gowey moved the adoption of an additional section the text of which was the same as final, except for minor wording.

**Action:** Motion carried. (p. 332)

**Passage of Article**

Article on Compact with the United States approved by Convention, August 10, by a vote of 51 to 0. (p. 333)

**Absent and not voting:** Allen, Berry, Brown, Cosgrove, Dallam, Dickey, Fairweather, Gray, Hayton, Hungate, Jamieson, Kellogg, Kinnear, Lindsley, McDonald, McReavey, Minor, Neace, Newton, Shoudy, E. H. Sullivan, Van Name, and Willison.

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\(^4\) System of Public Schools Guaranteed: Wash., Enabling Act, sec. 4, par. 4. [Identical.]

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ARTICLE NOT ACCEPTED MINES AND MINING

This article as it came from the committee set up a complicated system of mine regulation and inspection. The Convention members thought that such matters were better left to the Legislature and so refused to accept the committee report as an article.

When the article was first defeated, Manly, chairman of the Committee on Mines and Mining, was content to let the matter rest. Dyer, however, remained anxious to include a provision for an eight-hour day for miners in the Constitution. His later attempt to move for reconsideration was ruled out of order and the article was lost.¹

The Committee for Mines and Mining was appointed July 9. (p. 20)

Members: Manly, chairman; Morgans, Jamieson, Newton, McDonald, Gray, and Weisenburger.

Section 1

Proposition submitted to Convention by Griffitts, July 12:

"The Legislature of this state shall by suitable enactments require all such appliances and means to be provided and used as may be necessary to secure as far as possible the lives, health, and safety of all persons to be employed in any mine or mines in this state. And to that end shall provide for an Inspector of Mines, who before entering upon the duties of his office shall pass a satisfactory examination as to his duties, before a board of five examiners, appointed by the Governor and paid by the state, three of whom shall be practical miners and two civil engineers. And shall further provide for an examination by such Inspector of Mines of the employees therein as to their competency and experience in such employment. And a failure on the part of owners or operators of any mine or mines to observe the provisions of this article, or any law passed in pursuance thereof, shall be negligence per se and such owner or operators shall be liable in damages to all persons injured thereby, which damages shall be a lien upon the mine wherein such person is injured. And the Legislature shall moreover enforce its enactments under this article by adequate pains and penalties." (p. 66)

¹ Walla Walla Weekly Statesman, August 15, 20, 1889.
Proposition submitted to Convention by Newton, July 12:

“A Superintendent of Mines and Mining shall be elected by the qualified electors of the state at the regular gubernatorial election, whose salary shall be fixed by law, and whose term of office shall be the same as that of the Governor. He shall be a qualified elector, a practical miner of at least five years experience two of which shall have been in this state, and possessed of a thorough knowledge of mining engineering, ventilation, and the methods and appliances for underground mining with safety to the miners and other employees. He shall have the supervision of the management of the mines in this state so far as relate to their regulation in regard to the security against accidents and the health and safety of the employees.

“The state shall be divided into at least three mining districts for each of which shall be appointed an Inspector of Mines each of whom shall be a qualified elector and shall have had practical experience as a miner of at least four years in underground mining, two of which shall have been in this state, and shall have the supervision of the mines in his district as to machinery used, ventilation of the mines, and methods of working with power to close any mine whose managers refuse to comply with the laws that are in force or may be enacted for the management of the mines. Each Inspector shall make quarterly reports to the Superintendent of Mines as to the output of the mines, the management, the accidents to the men in the mines, their causes, and recommend such changes in machinery and management as will furnish better security for the health and safety of life and limb to the employees.

“Each Inspector of Mines shall be required to appoint a board of inspection of three persons for the examination of persons employed as underground miners, two of such examiners to be appointed by him from a list of practical miners employed in his district and selected by them, and the third a qualified mining engineer, who shall serve for a term of one year and until their successors are elected and qualified, they shall divide the miners into two classes skilled and unskilled and no miner shall be employed in any capacity requiring skill and judgment until he has been approved by said examiners as skilled miner and so enrolled. The Legislature shall pass laws for
the enforcement of this provision providing for punishment by fine and imprisonment or forfeiture of corporate property of any individual officer or corporation violating the provisions of this section.” (p. 69)

Text as given in report of committee, August 9:

“There shall be established and maintained the office of Inspector of Mines, the duties and salaries of which shall be prescribed by law. Inspectors of Mines shall be elected by the qualified electors of the state at large at the general state elections, and no person shall be eligible for the office of Mines Inspector unless he shall have had five years practical experience as a miner.” (p. 297)

Action by Convention, August 12:

Motion: Durie moved to add: “In addition to the other qualifications of state officers he shall be a practical miner of ten years experience two of which shall have been in this state and shall have no interest, direct or indirect, in the mines in this state.”

Action: Motion carried. (p. 345)

Section 2

Proposition submitted to Convention by Griffitts, July 12:

“Eight hours shall constitute a day’s work on all State, County, Municipal, or other public works, and in mines or other employment whose labor is performed underground.” (p. 66)

Proposition submitted to Convention by Newton, July 12:

“It shall not be lawful for any owner or manager to exact as a day’s labor from any miner employed in underground mines more than eight hours a day nor to employ in such underground mines any person under the age of sixteen years.”

“The Legislature shall pass laws requiring mines to be properly ventilated, timbered and to be equipped with the latest approved appliances for the safety of the employees and to prevent accidents in the mines.”

“Boards of Arbitration shall be appointed for the adjustment of scales of prices, for labor in underground mines or other
difference between employers and employees, which board shall be composed of the Superintendent of Mining, one person selected by the employer or manager of the mines and one to be selected by the employee or employees interested and their decision shall be final except in cases of injury to employees or damages in case of death of employees from accident in the mines.” (p. 70)

Proposition submitted to Convention by Dyer, July 12:

“No child under fourteen years of age shall be employed by any corporation or person in mines, manufacturing or any other business endangering health or life.” (p. 77)

Text as given in report of committee, August 9:

“The General Assembly shall provide by law for the proper ventilation of mines, the construction of escapement shafts, and such other appliances as may be necessary to protect the health and secure the safety of the workmen therein, and shall prohibit the employment in the mines of children under fourteen years of age.” (p. 297)

No changes were made in this section by Convention action.

Deleted Section

Text as given in report of committee, August 9:

“The General Assembly may make such regulations from time to time as may be necessary for the proper and equitable operating of mines.” (p. 298)

Action by Convention, August 12:

Motion: Turner moved to strike the section.

Action: Motion carried. (p. 343)

Deleted Section

Text as given in report of committee, August 9:

“The General Assembly may provide that the science of mining and metallurgy be taught in one or more of the institutions under the patronage of the state.” (p. 298)
Action by Convention, August 12:

**Motion:** Turner moved to strike the section.

**Action:** Motion carried. (p. 343)

### Section 3

Report of committee, August 9, did not include this section.

Action by Convention, August 12:

**Motion:** Dyer moved an additional section which provided an eight-hour day for underground miners.

**Action:** Motion carried 33 to 20. (p. 345)

**Voting against:** Blalock, Buchanan, Burk, Comegys, Cosgrove, Glascock, Hayton, Henry, Jamieson, Jeffs, Joy, Lindsley, J. Z. Moore, R. S. More, Morgans, Stiles, P. C. Sullivan, Turner, Van Name, and Winsor. **Absent and not voting:** Allen, Berry, Bowen, Browne, Crowley, Dallam, Dunbar, Fairweather, Fay, Godman, Gray, Hicks, Hungate, Jones, Kellogg, Kinnear, McReavey, Neace, Power, Shoudy, Weir, and Willison.

### Failure of Article

The Convention failed to accept this article, August 13, by a vote of 35 to 29. (p. 347)

**Voting for:** Clothier, Dallam, Durie, Dyer, Eldridge, Gray, Griffitts, Hayton, Kinnear, Lillis, Lindsley, McCroskey, McDonald, McElroy, McReavey, Minor, J. Z. Moore, Newton, Power, Prosser, J. M. Reed, Sharpstein, Shoudy, Stevenson, Suksdorf, Tibbetts, Van Name, Warner, and West. **Absent and not voting:** Berry, Browne, Dickey, Fairweather, Hicks, Hungate, Kellogg, Neace, Weir, Willison, and Godman.
ARTICLE XXVII SCHEDULE

The purpose of this article was to make the change from territorial status to statehood with the least possible confusion, and to set the time and manner of voting for the Constitution and for the first election of officers. It also provided for the submission of separate articles on Prohibition and Women's Suffrage.

This article was intended to be a "catch-all" for later measures which the Convention might adopt after other articles were adopted. Thus the Schedule was not adopted until the last day of the Convention. Changes made in the committee report by the convention were of a minor nature and caused no controversy.

The Committee on Miscellaneous Subjects, Schedule, and Future Amendments was appointed July 9. (p. 20)

Members: Sharpstein, chairman; McElroy, Buchanan, Lillis, J. M. Reed, Comegys, Gray, Dickey, and Jamieson.

Section 1

Present Language of the Constitution:

In order that no inconvenience may arise by reason of a change from a Territorial to a State government, it is hereby declared and ordained as follows:

EXISTING RIGHTS, ACTIONS AND CONTRACTS SAVED. No existing rights, actions, suits, proceedings, contracts or claims shall be affected by a change in the form of government, but all shall continue as if no such change had taken place; and all process which may have been issued under the authority of the Territory of Washington previous to its admission into the Union shall be as valid as if issued in the name of the state.

Original language same as present.¹

Text as given in report of committee, August 14:

Same as final. (p. 352)

Section 2

Present Language of the Constitution:

LAWS IN FORCE CONTINUED. All laws now in force

¹ Existing Rights Preserved: Schedule, Wash., Const. (1878), sec. 1. [Similar.]
in the Territory of Washington, which are not repugnant to this Constitution, shall remain in force until they expire by their own limitation, or are altered or repealed by the legislature: Provided, That this section shall not be so construed as to validate any act of the legislature of Washington Territory granting shore or tide lands to any person, company or any municipal or private corporation.

Original language same as present.²

Text as given in report of committee, August 14:

Same as final except that it did not include the proviso.
(p. 352)

Section 3

Present Language of the Constitution:

DEBTS, FINES, ETC., TO INURE TO THE STATE. All debts, fines, penalties and forfeitures, which have accrued, or may hereafter accrue, to the Territory of Washington, shall inure to the State of Washington.

Original language same as present.³

Text as given in report of committee, August 14:

Same as final. (p. 352)

Section 4

Present Language of the Constitution:

RECOGNIZANCES. All recognizances heretofore taken, or which may be taken before the change from a territorial to a state government shall remain valid, and shall pass to, and may be prosecuted in the name of the state; and all bonds executed to the Territory of Washington or to any county or municipal corporation, or to any officer or court in his or its official capacity, shall pass to the state authorities and their successors in office, for the uses therein expressed, and may be sued for and recovered accordingly, and all the estate, real, personal and mixed, and all judgments, decrees, bonds, specialties, choses in action, and claims or debts, of whatever

² Laws of Territory Valid: Schedule, Wash., Const. (1878), sec. 2. [Identical except Wash., Const. (1889) adds proviso.]
³ Debts of Territory Valid: Schedule, Wash., Const. (1878), sec. 3. [Identical.]
description, belonging to the Territory of Washington, shall inure to and vest in the State of Washington, and may be sued for and recovered in the same manner, and to the same extent, by the State of Washington, as the same could have been by the Territory of Washington.

Original language same as present.4

Text as given in report of committee, August 14:

Same as final. (pp. 352-3)

Section 5

Present Language of the Constitution:

CRIMINAL PROSECUTIONS AND PENAL ACTIONS.
All criminal prosecutions and penal actions which may have arisen, or which may arise, before the change from a territorial to a state government, and which shall then be pending, shall be prosecuted to judgment, and execution in the name of the state. All offenses committed against the laws of the Territory of Washington, before the change from a territorial to a state government, and which shall not be prosecuted before such change, may be prosecuted in the name and by the authority of the State of Washington, with like effect as though such change had not taken place; and all penalties incurred shall remain the same as if this Constitution had not been adopted. All actions at law and suits in equity which may be pending in any of the courts of the Territory of Washington, at the time of the change from a territorial to a state government, shall be continued, and transferred to the court of the state having jurisdiction of the subject matter thereof.

Original language same as present.5

Text as given in report of committee, August 14:

Same as final. (p. 353)

Final action by Convention, August 17:

Motion: Stiles moved to insert the words "superseded by."

Action: Motion lost. (p. 389)

4. Recognizances of Territory Valid: Schedule, Wash., Const. (1878), sec. 4. [Identical.]

5. Penal Actions: Schedule, Wash., Const. (1878), sec. 4. [Identical.]
Section 6

Present Language of the Constitution:

RETENTION OF TERRITORIAL OFFICERS. All officers now holding their office under the authority of the United States, or of the Territory of Washington, shall continue to hold and exercise their respective offices until they shall be superseded by the authority of the state.

Original language same as present. 6

Text as given in report of committee, August 14:

Same as final except that it included at the end “and shall be entitled to receive for services rendered the state a compensation not greater than that theretofore received on the taking effect of this Constitution.” (p. 353)

Final action by Convention, August 21:

Motion: Sharpstein moved to strike out all after the word “state” which now ends the section.

Action: Motion carried. (p. 446)

Section 7

Present Language of the Constitution:

CONSTITUTIONAL OFFICERS, WHEN ELECTED. All officers provided for in this Constitution including a county clerk for each county when no other time is fixed for their election, shall be elected at the election to be held for the adoption of this Constitution on the first Tuesday of October, 1889.

Original language same as present. 7

Text as given in report of committee, August 14:

Same as final. (p. 353)

Section 8

Present Language of the Constitution:

CHANGE OF COURTS — TRANSFER OF CAUSES.


Whenever the judge of the superior court of any county, elected or appointed under the provisions of this Constitution shall have qualified, the several causes then pending in the district court of the territory except such causes as would have been within the exclusive jurisdiction of the United States district court had such court existed at the time of the commencement of such causes, within such county, and the records, papers and proceedings of said district court, and the seal and other property pertaining thereto, shall pass into the jurisdiction and possession of the superior court for such county. And where the same judge is elected for two or more counties, it shall be the duty of the clerk of the district court having custody of such papers and records to transmit to the clerk of such county, or counties, other than that in which such records are kept the original papers in all cases pending in such district court and belonging to the jurisdiction of such county or counties together with transcript of so much of the records of said district court as relate to the same; and until the district courts of the Territory shall be superseded in manner aforesaid, the said district courts and the judges thereof, shall continue with the same jurisdiction and powers, to be exercised in the same judicial districts respectively, as heretofore constituted under the laws of the Territory. Whenever a quorum of the judges of the supreme court of the state shall have been elected and qualified, the causes then pending in the supreme court of the Territory, except such causes as would have been within the exclusive jurisdiction of the United States, circuit court had such court existed at the time of the commencement of such causes, and the papers, records and proceedings of said court and the seal and other property pertaining thereto, shall pass into the jurisdiction and possession of the supreme court of the state, and until so superseded, the supreme court of the Territory and the judges thereof, shall continue with like powers and jurisdiction as if this Constitution had not been adopted.

Original language same as present.9

Text as given in report of committee, August 14:

"Whenever the judge of the superior court of any county

8. Courts, Transfer of Cases: Schedule, Wash., Const. (1878), sec. 6. [Identical except for slight word change.]
elected or appointed under the provisions of this Constitution shall have qualified, the several causes then pending in the district court of the territory, within any county, and the records, papers, and proceedings of said district court, and the seal and other property pertaining thereto shall pass into the jurisdiction and possession of the superior court for such county and until the district courts of the territory shall be superseded in manner aforesaid, the said district courts and the judges thereof shall continue with the same jurisdiction and powers to be exercised in the same judicial districts as heretofore constituted under the laws of the territory. Whenever a quorum of the judges of the supreme court of the state shall have been elected and qualified the causes then pending in the supreme court of the territory, and the papers, records, and proceedings of said court, and the seal and other property pertaining thereto, shall pass into the jurisdiction and possession of the supreme court of the state, and until so superseded the supreme court of the territory and the judges thereof shall continue with like powers and jurisdiction as if this Constitution had not been adopted.” (pp. 353-4)

Final action by Convention, August 17:

Motion: Henry moved to insert after the word “county” in the fifth line the following: “And where the same judge is elected for two or more counties it shall be the duty of the clerk of the district court, having custody of such papers and records to transmit to the clerk of such county or counties other than that in which such records are kept, the original papers in all cases pending in such district court and belonging to the jurisdiction of such county or counties together with transcripts of so much of the records of said district court as relate to the same.”

Action: Motion carried. (p. 389)

Motion: Gowey moved to strike “any” in the third line and insert “such.”

Action: Not recorded. (p. 389)

Motion: Stiles moved to amend by inserting after “territory” in line eleven “Except such causes as would have been within the exclusive jurisdiction of the United States Circuit Court
had such court existed at the time of the commencement of such causes.”

Action: Motion carried. (pp. 393-4)

Section 9

Present Language of the Constitution:

SEALS OF COURTS AND MUNICIPALITIES. Until otherwise provided by law, the seal now in use in the supreme court of the Territory shall be the seal of the supreme court of the state. The seals of the superior courts of the several counties of the state shall be, until otherwise provided by law, the vignette of General George Washington with the words: “Seal of the Superior Court of..................county” surrounding the vignette. The seal of municipalities, and of all county officers of the Territory, shall be the seals of such municipalities, and county officers respectively under the state, until otherwise provided by law.

Original language same as present.9

Text as given in report of committee, August 14:

Same as final except that it did not include a description of the seal of the Superior Court. (p. 354)

The Judicial Committee inserted the description of the seal when the article was referred to it for rearrangement, August 22. (p. 452)

Section 10

Present Language of the Constitution:

PROBATE COURT, TRANSFER OF. When the state is admitted into the Union, and the superior courts in the respective counties organized, the books, records, papers and proceedings of the probate court in each county, and all causes and matters of administration pending therein, shall, upon the expiration of the term of office of the probate judges, on the second Monday in January, 1891, pass into the jurisdiction and possession of the superior court of the same county created by this Constitution, and the said court shall proceed to final judg-

9. Court Seals: Schedule, Wash., Const. (1878), sec. 8. [Identical except for slight word change.]
ment or decree, order or other determination in the several matters and causes, as the territorial probate court might have done, if this Constitution had not been adopted. And until the expiration of the term of office of the probate judges, such probate judges shall perform the duties now imposed upon them by the laws of the Territory. The superior courts shall have appellate and revisory jurisdiction over the decisions of the probate courts, as now provided by law, until such latter courts expire by limitation.

Original language same as present.10

Text as given in report of committee, August 14:

“When the state is admitted into the union and the superior courts in the respective counties organized, the books, records, papers and proceedings of the probate court in each county and all causes and matters of administration pending therein shall pass in the jurisdiction and possession of the superior court of the same county created by this Constitution and the said court shall proceed to final judgment or decree, order, or other determination in the several matters and causes, as the territorial probate court might have done if this Constitution had not been adopted. And until the election and qualification of the superior judges as provided in this Constitution the territorial probate judges shall act as judges of the probate court within the respective counties.” (p. 354)

Final action by Convention, August 17:11

Motion: P. C. Sullivan moved to amend by inserting “upon the expiration of the term of office of the probate judges” after “pending therein shall” in line three, and to strike out all of the last sentence and insert “and until the expiration of the term of office of the probate judge such probate judge shall perform the duties now imposed upon them by the laws of the territory.”

Action: Motion carried 42 to 19. (pp. 389-90)

Voting against: Berry, Blalock, Bowen, Buchanan, Coey, Comegys, Gray, Henry, Hicks, McCroskey, McDonald,

10. Probate Court Transferred to Superior Court: Schedule, Wash., Const. (1878), sec. 9. [Identical except for slight word change.]

11. Tacoma Morning Globe, August 18; Standard, August 23, 1889.

Motion: P. C. Sullivan moved to insert after “probate judges” the words “on the second Monday in January, 1891.”

Action: Motion carried. (p.390)

The vote as recorded by the Standard was 42 to 19. The Globe said that the fact that this motion prevailed showed the sentiment was in favor of the hold-over policy.

Motion: P. C. Sullivan moved to amend by adding at the end of the section “The superior courts shall have appellate re­visory jurisdiction over the decisions of the probate court as now provided by law until such latter court expire by limita­tion.”

Action: Motion carried. (p.390)

The Globe credits this motion to Crowley and reports that the section was adopted by a vote of 42 to 19, with 14 absent. The Globe then lists thirty-one names without designating whether they were absent or had voted no. Two names are unaccounted for.

Discussion as follows:


Section 11

Present Language of the Constitution:

DUTIES OF FIRST LEGISLATURE. The legislature, at
its first session, shall provide for the election of all officers whose election is not provided for elsewhere in this Constitution, and fix the time for the commencement and duration of their term.

Original language same as present.\textsuperscript{12}

Text as given in report of committee, August 14:

Same as final. (pp. 354-5)

Final action by Convention, August 17:

\textbf{Motion}: Shoudy moved to add that after 1895 no one could vote or hold office who could not read and write English.

\textbf{Action}: Motion lost 31 to 21. (p. 390)


Section 12

\textbf{Present Language of the Constitution}:

\textbf{ELECTION CONTESTS FOR SUPERIOR JUDGES, HOW DECIDED}. In case of a contest of election between candidates, at the first general election under this Constitution, for judges of the superior courts, the evidence shall be taken in the manner prescribed by the Territorial laws, and the testimony so taken shall be certified to the secretary of state; and said officer, together with the governor and treasurer of state, shall review the evidence and determine who is entitled to the certificate of election.

Original language same as present.\textsuperscript{13}

Text as given in report of committee, August 14:

Same as final. (p. 355)

\textsuperscript{12}Election of Officers Not Otherwise Provided for: Schedule, Wash., Const. (1878), sec. 10. [Identical.]

\textsuperscript{13}Contests at First Election: Schedule, Wash., Const. (1878), sec. 11. [Identical except for slight word change.]

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Section 13

Present Language of the Constitution:

**REPRESENTATION IN CONGRESS.** One representative in the congress of the United States shall be elected from the state at large, at the first election provided for in this Constitution; and, thereafter, at such times and places, and in such manner, as may be prescribed by law. When a new apportionment shall be made by congress, the legislature shall divide the state into congressional districts, in accordance with such apportionment. The vote cast for representative in congress, at the first election, shall be canvassed, and the result determined in the manner provided for by the laws of the Territory for the canvass of the vote for delegate in congress.

Original language same as present.14

Text as given in report of committee, August 14:

Same as final. (p. 355)

Section 14

Present Language of the Constitution:

**DURATION OF TERM OF CERTAIN OFFICERS.** All district, county and precinct officers, who may be in office at the time of the adoption of this Constitution, and the county clerk of each county elected at the first election, shall hold their respective offices until the second Monday of January, A. D. 1891, and until such time as their successors may be elected and qualified, in accordance with the provisions of this Constitution; and the official bonds of all such officers shall continue in full force and effect as though this Constitution had not been adopted. And such officers shall continue to receive the compensation now provided, until the same be changed by law.

Original language same as present.15

Text as given in majority report of committee, August 14:


15. District, County, Precinct Officers Hold Office Until 1891: Schedule, Wash., Const. (1878), sec. 5. [Similar.]
“All district, county and precinct officers under territorial laws except probate judges and prosecuting attorneys who may be in office at the time of the adoption of this Constitution shall hold their respective offices until the ___ day of January, 1891, and until their successors are elected and qualified, and the official bonds of all such officers shall continue in full force and effect until the termination of their respective terms of office, the same as if this Constitution had not been adopted.” (p. 355)

Text as given in minority report submitted by Dickey, Lillis, and Jamieson, August 14:

Same as final. (p. 356)

Final action by Convention, August 17:

**Motion:** Power moved to strike out “except probate judges and prosecuting attorneys.”

**Motion:** Sharpstein moved to amend by inserting “members of the Legislature” for the words to be stricken out.

**Motion:** T. M. Reed then moved to substitute the minority report.

**Action:** Dyer demanded the ayes and noes and the substitute was adopted 45 to 12. (p. 391)

**Voting against:** Berry, Browne, Comegys, Hicks, McReavey, Mires, R. S. More, Prosser, Stevenson, Van Name, Willison, and Winsor. **Not voting:** Cosgrove, Dunbar, Durie, Eshelman, Gray, Griffitts, Kinnear, Lillis, McDonald, McElroy, Newton, J. M. Reed, E. H. Sullivan, Tibbetts, and Hoyt. **On leave:** Hungate and Neace. **Absent:** Godman.

**Section 15**

**Present Language of the Constitution:**

**ELECTION ON ADOPTION OF CONSTITUTION, HOW TO BE CONDUCTED.** The election held at the time of the adoption of this Constitution shall be held and conducted in all respects according to the laws of the Territory, and the votes

17. Ibid.
cast at said election for all officers (where no other provisions are made in this Constitution), and for the adoption of this Constitution and the several separate articles and the location of the state capital, shall be canvassed and returned in the several counties in the manner provided by Territorial law, and shall be returned to the secretary of the Territory in the manner provided by the Enabling Act.

Original language same as present.\textsuperscript{18}

Text as given in report of committee, August 14:

Same as final except for minor wording. (p. 355)

Final action by Convention, August 21:

\textbf{Motion}: McElroy moved an amendment to make voting more secret in the coming election.

\textbf{Action}: Motion lost 34 to 30. (pp. 444-5)


Judicial Committee made minor changes in wording when article was sent to it for rearrangement, August 22. (pp. 452-3)

\textbf{Section 16}

\textbf{Present Language of the Constitution}:

\textbf{WHEN CONSTITUTION TO TAKE EFFECT}. The provisions of this Constitution shall be in force from the day on which the president of the United States shall issue his proclamation declaring the State of Washington admitted into the Union, and the terms of all officers elected at the first election under the provisions of this Constitution shall commence on the Monday next succeeding the issue of said proclamation, unless otherwise provided herein.

\textsuperscript{18} Election to Adopt Constitution: Wash., Enabling Act, sec. 8. [Similar.]
Original language same as present. 19

Text as given in report of committee, August 14:

Same as final, except that it did not include the last clause declaring when officers’ terms shall begin. (pp. 355-6)

Final action by Convention, August 17:

Motion: Crowley moved to add the clause about the beginning of officers’ terms.

Action: Motion carried. (p. 392)

Section 17

Present Language of the Constitution:

SEPARATE ARTICLES. The following separate articles shall be submitted to the people for adoption or rejection at the election for the adoption of this Constitution:

SEPARATE ARTICLE, NO. 1

“All persons male and female of the age of twenty-one years or over, possessing the other qualifications, provided by this Constitution, shall be entitled to vote at all elections.”

SEPARATE ARTICLE, NO. 2

“It shall not be lawful for any individual, company or corporation, within the limits of this state, to manufacture, or cause to be manufactured, or to sell, or offer for sale, or in any manner dispose of any alcoholic, malt or spirituous liquors, except for medicinal, sacramental or scientific purposes.”

If a majority of the ballots cast at said election on said separate articles be in favor of the adoption of either of said separate articles, then such separate article so receiving a majority shall become a part of this Constitution and shall govern and control any provisions of the Constitution in conflict therewith.

Original language same as present. 20

Report of committee did not include this section.

20. Separate Articles Submitted: Schedule, Wash., Const. (1878), sec. 20. [Similar.]
Women's Suffrage

Text of separate article discussed under article on Elections and Elective Rights, Article VI. (See particularly Section 9 on page 242.)

Transferred to Section 17 of Schedule article on advice of Judicial Committee, August 22. (p. 452)

Prohibition

Text as given in separate majority report of committee, July 17:

"Your committee on Miscellaneous Subjects, Schedule, and Future Amendments to whom were referred numerous petitions praying that a clause be placed in the Constitution prohibiting the manufacture and sale of alcoholic and malt liquors as a beverage have had the same under consideration and respectfully report the same back to the Convention and recommend that the prayers thereof be not granted." (p. 110)

Text as given in separate minority report submitted by Dickey and J. M. Reed, July 17:

"Whereas certain petitions and memorials from E. B. Sutton and others, representing many thousands of our citizens, praying for the insertion in the Constitution of the State of Washington, of a clause forever prohibiting within the limits of the state the manufacture and sale of alcoholic and malt liquors as a beverage, have been referred to this committee for its decision thereon, therefore believing that the voice of so large a number of our people should receive proper recognition, and realizing the fact that the right of the majority to rule is the underlying principle of free government, we recommend that the following separate proposition be submitted with the Constitution for ratification of the people, and be inserted therein, should the majority of the electors so decide: 'It shall not be lawful for any individual, company or corporation within the limits of this state to manufacture, to sell, offer for sale, or in any way dispose of any alcoholic, malt, or spirituous liquors, except for medicinal or scientific purposes'." (p. 110)

Action by Convention, July 24:

Motion: Dickey moved to adopt the minority report.

Motion: Sharpstein moved to substitute the word "majority" for "minority" in Dickey's motion.

Motion: Warner moved to recommit the reports to the committee.

Action: Warner's motion was lost 39 to 29. Sharpstein's motion was carried to substitute the word "majority" for "minority" and the majority report was then adopted. (p. 144)

Discussion as follows:

For the minority report and submission of a separate article: J. M. Reed and Dickey said the shortest way to bring the subject before the Convention was to submit this report. E. H. Sullivan thought the people should express themselves on the question.

Against the minority and for the majority report: Sharpstein said that the petitions had requested a clause in the Constitution on prohibition, not submission of a separate article on that subject to the people. He said that the committee did not favor a constitutional clause and did not want to give the prohibitionists something that they did not ask for. Buchanan and Lillis said they personally favored separate submission, but agreed with Sharpstein that it had not been requested. Comegys and McElroy spoke for the majority report.

For resubmission to the committee: Cosgrove said the committee was trying to dodge the issue and he favored recommitment for a proper expression on the subject.

Against resubmission: Godman and Griffitts thought that recommitment was a waste of time and that the Convention should act now.

Action by Convention, July 25:

Motion: Dickey moved that the rules be suspended to consider a resolution that the question of prohibition be put to the people in the form of a separate article at the time of voting for the Constitution.

Action: Motion lost. (p. 158)
Text of report submitted to Convention by Dickey, J. M. Reed, Jamieson, Buchanan and Comegys.

Same as minority report of Dickey and J. M. Reed. (p. 218)

Action by Convention, August 5:

**Motion:** Shoudy moved to indefinitely postpone the separate article.

**Action:** Motion lost 52 to 10. (p. 231)

**Voting for:** Clothier, Coey, Gray, Griffitts, Hayton, McDonald, R. S. More, Morgans, Shoudy, and Travis. **Absent and not voting:** Allen, Browne, Dallam, Fairweather, Henry, Jeffs, Kinnear, Lillis, Manly, McReavey, Power, Suksdorf, and Turner.

**Discussion as follows:**

**Against:** Dunbar, T. M. Reed, E. H. Sullivan, Cosgrove, Crowley, Dickey, Comegys, Godman, and Warner protested against postponing. Shoudy wanted to withdraw the motion but an objection was made and the ayes and noes called for.

**Motion:** Minor moved that the article be adopted as reported by the minority for the purpose of being submitted as a separate article to the decision of the people.

**Action:** Motion carried 51 to 11. (p. 232)

**Voting against:** Clothier, Gray, Hayton, Hicks, McDonald, R. S. More, Sharpstein, Shoudy, Stevenson, Stiles, and Van Name. **Absent and not voting:** Allen, Browne, Dallam, Fairweather, Henry, Jeffs, Kinnear, Lillis, Manly, McReavey, Power, Suksdorf, and Turner.

Judicial Committee recommended and the Convention concurred that the article be placed with the Schedule in Section 17, August 22. (p. 452)

**Section 18**

**Present Language of the Constitution:**

**BALLOT.** The form of ballot to be used in voting for or against this Constitution, or for or against the separate arti-

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22. Times, August 5, 1889.
cles, or for the permanent location of the seat of government, shall be:

1. For the Constitution
   Against the Constitution

2. For Woman Suffrage Article
   Against Woman Suffrage Article

3. For Prohibition Article
   Against Prohibition Article

4. For the Permanent Location of the Seat of Government
   (Name of place voted for)

Original language same as present.²³

Text as given in report of committee, August 14, did not include this section.

Final action by Convention, August 17:

   Motion: Gowey moved to add a new section the text of which was the same as final.

   Motion: Shoudy moved to amend by striking out “Yes” and “No.”

   Action: Shoudy’s motion lost, and that of Gowey carried.
   (p. 395)

Section 19

Present Language of the Constitution:

APPROPRIATION. The legislature is hereby authorized to appropriate from the state treasury sufficient money to pay any of the expenses of this convention not provided for by the Enabling Act of Congress.

Original language same as present.²⁴

Text as given in report of committee, August 14, did not include this section.

Final action by Convention, August 17:

   Motion: Stiles moved to add an additional section the text of which was the same as final.

²³ Form of Ballot: Wash., Const. (1878), Separate Arts. 1, 3 (Arts 2 and 4 are new.) [Similar.]
²⁴ Appropriation Authorized to Pay Any Deficiency: Original.
Motion: Power moved a substitute for Stiles' amendment. "The first Legislature of the state is hereby authorized and required to make provision for the payment of all deficiency in the Congressional appropriation of twenty thousand dollars for defraying the expenses of the Constitutional Convention as certified by the President and Chief Clerk of said Convention."

Motion: McCroskey moved to amend the amendment so that the members of the Convention be exempted from the operation of the section.

Action: McCroskey withdrew his motion. A vote was then taken on Power's motion which was lost 32 to 26. (pp. 392-3)


Action: A vote was then taken on Stiles' section which carried 42 to 16. (p. 393)


Motion: J. M. Reed moved to amend by adding "except the per diem of members of this Convention."

Action: Motion lost.

Proposed Section

Motion: Crowley brought up the Walla Walla subsidy scheme

25. Globe, August 18; Standard, August 23, 1889.
for the Hunt railroad in an additional section the text of which was as follows: "Either the counties of Columbia, Klickitat, Kittitas, Walla Walla or Yakima may, prior to January 1, 1895, give aid by the issue of its bonds or otherwise, to any person, corporation, or association; provided, two-thirds of the property taxpayers in such county, being legal voters therein and voting thereon, vote therefor at a special election to be held for the purpose of deciding the question of granting such aid. The special election shall be called by the commissioners of the county upon a petition of not less than one hundred property taxpayers and legal voters therein, and shall be held not less than sixty nor more than ninety days after the date of the order for holding said election, which shall be conducted, returns made and results declared in accordance with the general election laws; and provided, further, that the aggregate total of said granted aid under this section, by either of said counties, shall not exceed 4 per centum of its assessed valuation for county and state purposes as shown by its assessment made next preceding such election."

Action: Motion lost 36 to 17. (p. 394)

Voting for: Blalock, Clothier, Crowley, Fay, Gowey, Henry, Prosser, T. M. Reed, Schooley, Sharpstein, Shoudy, Sohns, Stiles, Sturdevant, P. C. Sullivan, West, and Winsor. Absent or not voting: Six paired votes were announced later; Allen, Cosgrove, Dunbar, Durie, Eshelman, Fairweather, Godman, Gray, Hicks, Hungate, Jones, Joy, Kinnear, Lillis, McCroskey, McElroy, Neace, Power, Tibbetts, Turner, Van Name, and Hoyt.

Passage of Article

Article on Schedule approved by Convention, August 22, by a vote of 67 to 4. (p. 453)

ARTICLE XXVIII COMPENSATION OF STATE OFFICERS

This article was added in 1948 by the 20th Amendment.

Section 1

Present Language of the Constitution:

All elected state officials shall each severally receive such compensation as the Legislature may direct. The compensation of any state officer shall not be increased or diminished during his term of office, except that the Legislature, at its thirty-first regular session, may increase or diminish the compensation of all state officers whose terms exist on the Thursday after the second Monday in January, 1949.

The provisions of sections 14, 16, 17, 19, 20, 21, and 22 of Article III and section 23 of Article II in so far as they are inconsistent herewith, are hereby repealed. [1947 p 1371, Senate Joint Resolution No. 4. Approved November 2, 1948.]